

SEVENTY-FOURTH DAY

(Wednesday, May 19, 1937)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Calvert.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Herzik
Adkins	Holland
Alexander	Hoskins
Alsup	Howard
Amos	Huddleston
Baker	Hull
Bates	Hyder
Beckworth	Jackson
Bell	James
Blankenship	Johnson of Ellis
Boethel	Johnson
Bond	of Tarrant
Boyer	Jones of Atascosa
Bradbury	Jones of Angelina
Bridgers	Jones of Falls
Broadfoot	Jones of Wise
Brown	Keefe
Burton	Keith
Cagle	Kelt
Callan	Kenyon
Carsow	Kern
Cathey	King
Cauthorn	Knetsch
Celaya	Langdon
Cleveland	Lankford
Colquitt	Lanning
Davis of Jasper	Leath
Davison of Fisher	Leonard
Davisson	Leyendecker
of Eastland	Little
Deglandon	Loggins
Derden	London
Dickison	Lucas
Dollins	Mann
England	Mauritz
Farmer	Mays
Felty	McConnell
Fielden	McCracken
Fox	McDonald
Fuchs	McFarland
Gibson	McKee
Graves	McKinney
Hamilton	Metcalfe
Hankamer	Moffett
Hanna	Monkhouse
Harbin	Morris
Hardin	Morse
Harper	Newton
Harrell	Nicholson
Harris of Archer	Oliver
Harris of Dallas	Palmer
Harris of Dickens	Patterson of Mills
Hartzog	Patterson
Heflin	of Travis

Petsch	Smith of Hopkins
Pope	Smith
Powell	of Matagorda
Prescott	Smith of Tarrant
Quinn	Stevenson
Ragsdale	Stinson
Reader	Talbert
Reed of Bowie	Tarwater
Reed of Dallas	Tennant
Rhodes	Tennyson
Riddle	Thornberry
Roark	Thornton
Ross	Vale
Rutta	Waggoner
Settle	Walker
Sewell	Weldon
Sharpe	Winfree
Shell	Wood
Simpson	Worley
Skaggs	Westbrook

Absent

Dean

Absent—Excused

Bradford	Schuenemann
Davis of Haskell	Stocks
Russell	

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain.

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Bradford for today, on motion of Mr. Harrell.

Mr. Russell for today, on motion of Mr. Keith.

Mr. Stocks for today, on motion of Mr. McFarland.

Mr. Schuenemann for today, on motion of Mr. Shell.

The following Member was granted leave of absence on account of illness:

Mr. Davis of Haskell for today and the balance of the week, on motion of Mr. McFarland.

INVITATION TO THE NATIONAL TAX ASSOCIATION

Mr. McFarland offered the following resolution:

H. C. R. No. 137, Invitation to the National Tax Association to hold its annual meeting in Texas.

Whereas, The National Tax Association is an outstanding organization of international scope, seeking to bring

about better adjustments of State, local and national tax problems; and

Whereas, It is customary for this organization to hold its annual meetings in sections of the United States which are vitally interested in bringing about better tax systems and the administration thereof; and

Whereas, The organization is to meet in Baltimore, Maryland, in the fall of 1937, and as customary will select a suitable place for its 1938 meeting, which place they will deem to be the most advantageous and beneficial to the greatest number of people of the various states; and

Whereas, The State of Texas has never had the honor of entertaining this worthy organization, and its meeting in Texas in 1938 would be of tremendous benefit to Texas and the Southwestern States, in that the people of Texas and the Southwestern States generally would have an opportunity to hear first-hand discussion of the tax problems of the states in their various phases by the most eminent tax experts of the nation, and thus be better informed as to the proper methods for solving the various tax problems confronting the people; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That the National Tax Association be, and it is hereby cordially invited to hold its annual meeting in 1938 at some central point in Texas to be selected by the Executive Board of the Association; and, be it further

Resolved, That a copy of this resolution be forwarded to the Honorable Oscar Leser, President of the National Tax Association and Chairman of the State Tax Commission of Maryland at Annapolis, Maryland, and a copy be forwarded to the Honorable W. D. Query, Secretary of the National Tax Association and Chairman of the South Carolina Tax Commission at Columbia, South Carolina.

McFARLAND,
DAVIS of Jasper.

The resolution was read second time, and was adopted.

**TO PROVIDE THAT THE MEN'S
CONFEDERATE HOME MAY
BE USED FOR STATE
OFFICE SPACE**

Mr. Thornberry offered the following resolution:

H. C. R. No. 138, To provide that

the Men's Confederate Home may be used for office space.

Whereas, There occasionally arises a need for more room in which to place parts of State Departments; and

Whereas, There is considerable available space at the Men's Confederate Home which is not now used and which space could be combined and used to the advantage of the State without detriment to the residents of the Men's Confederate Home; therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the State Board of Control shall be authorized and empowered to make rules and regulations whereby this space at the Men's Confederate Home in Austin may be used by State Departments needing more space, and said Board of Control shall have the authority to make such arrangements as they deem wise in allotting this space so that the comfort and safety of the residents of the Men's Confederate Home shall not be interfered with.

THORNBERRY,
GRAVES,
SETTLE,
PATTERSON of Travis,
JONES of Wise,
LONDON,
METCALFE.

The resolution was read second time, and was adopted.

**TO PROVIDE FOR PURCHASE OF
CERTAIN PORTRAIT**

Mr. Leonard offered the following resolution:

H. C. R. No. 141, To provide for purchase of certain portrait.

Whereas, The Honorable James H. Raymond served as the last Treasurer of the Republic of Texas and as the first Treasurer of the State of Texas from February 24, 1846 to August 2, 1858; and

Whereas, It is the desire of the Legislature of Texas to honor its early public officials; and

Whereas, There is now existing in the hands of Mr. Raymond Johnson of Pharr, Texas, a painting of the Honorable James H. Raymond, which is the work of the late W. H. Huddle, who painted the portraits of Sam Houston and James Hogg, which now hang in the hall of the House of Representatives; now, therefore, be it

Resolved by the House of Represen-

tatives, the Senate concurring, That a committee of three Members of the House and two Members of the Senate be appointed by the Speaker of the House and the President of the Senate for the purpose of purchasing said portrait at a cost not to exceed Five Hundred (\$500.00) Dollars, which sum shall be paid out of the contingent expense fund of the Regular Session, Forty-fifth Legislature; and, be it further

Resolved, That upon its purchase said portrait shall be hung at some place in the Capitol building or in the State building on the Centennial grounds at Dallas, as may be determined by the committee named herein and the Board of Control.

The resolution was read second time.

On motion of Mr. Harris of Dallas, the resolution was referred to the Committee on Contingent Expenses.

TO AUTHORIZE PAYMENT OF CERTAIN EXPENSES

Mr. Leonard offered the following resolution:

H. C. R. No. 142, To authorize payment of certain expenses.

Whereas, The Texas Commissioner of Agriculture, along with Commissioners of Agriculture of other Southern States, has been requested by the Senate Committee on Agriculture to be in Washington at an early date for a conference on the farm program, which is to be outlined by the National Congress and to be effective for the coming two years or more; and

Whereas, It is highly important that Texas, as the leading agricultural State of the South, be represented at that conference by the Commissioner of Agriculture and at least one member of his staff; and

Whereas, There are not now sufficient funds available to the credit of the Department of Agriculture which may be used by the Commissioner of Agriculture and one member of his staff in traveling outside the State of Texas; and

Whereas, It is believed that on this same trip to Washington the Commissioner of Agriculture and one member of his staff, probably the State Entomologist, will be able to secure a sizeable appropriation for the eradication of the Morelos fruit fly in Texas, as was done in the case of the Mediterranean fruit fly in Florida; and

Whereas, It is highly important not only to the citrus industries of Texas, but to the peach, plum, apricot and near growers as well that this pest be rapidly and completely driven from the orchards of our State; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That it is the desire of the Legislature that the State Comptroller, the Attorney General and the State Treasurer of Texas issue, honor and allow to be paid warrants for the traveling expenses of the State Commissioner of Agriculture and the State Entomologist on the trip to Washington, for the purposes set out above, said expense money not to exceed the sum of Three Hundred (\$300.00) Dollars, to be paid out of the appropriation made by House Bill No. 101, Regular Session, Forty-fifth Legislature; and, be it further

Resolved, That it is not the intention of the Legislature to write into said House Bill No. 101 any restrictions which would prevent any State officer from complying with the terms of this resolution, but, on the contrary, all State officers mentioned herein are requested to comply herewith.

The resolution was read second time, and was adopted.

EXPRESSING APPRECIATION TO MEMBERS OF THE HOUSE

The Speaker laid before the House, and had read the following communication:

Houston, Texas, May 18, 1937.

Honorable Robert W. Calvert, Speaker of the House of Representatives.

Austin, Texas

Dear Mr. Calvert:

I wish to express to you and the other honorable Members of the House of Representatives, in behalf of my family, as well as myself, our appreciation for the kind expression of sympathy to us, and the honor bestowed upon my father, Earle Adams, Jr., by the resolution adopted by the House, the 5th of this month.

As I am unable to write the Representatives, other than the Harris County delegates, I would appreciate it if you would make known to all of them, our sincere appreciation.

Yours very respectfully,

TOD R. ADAMS.

MESSAGE FROM THE SENATE

Austin, Texas, May 19, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has granted the request of the House for a conference committee to adjust the differences between the two Houses on House Bill No. 5.

The following have been appointed on the part of the Senate:

Senators Small, Burns, Pace, Spears and Shivers.

The Senate has adopted the following:

H. C. R. No. 65, Granting John Haney and Lockwood Allison permission to sue the Texas State Liquor Board and/or the State of Texas for damages for personal injuries.

H. C. R. No. 106, Urging the State Parks Board to permit the use of State Parks to the Boy Scouts and Girl Scouts of Texas.

The Senate has passed

H. B. No. 407, A bill to be entitled "An Act prohibiting the barter or sale or offering for barter or sale or to buy any bass, crappie, perch, catfish, or any other fish taken from the fresh water of the Brazos River or within one mile of the mouth of any of the tributaries of the Brazos River within Falls County, State of Texas; and providing a penalty, and declaring an emergency."

H. B. No. 456, A bill to be entitled "An Act providing that on and after April 1st, 1937, delinquent taxpayers shall be permitted to pay such taxes in partial payments; and declaring an emergency." (With amendments.)

H. B. No. 641, A bill to be entitled "An Act making appropriation of certain sums of money, or so much thereof as may be necessary, out of the General Revenue Fund to pay taxes due by the State to certain independent school districts, and declaring an emergency."

H. B. No. 651, A bill to be entitled "An Act amending Article 6205, Revised Civil Statutes of Texas, 1925, as amended by Section 2 of Chapter 262, Acts, Regular Session of the Forty-second Legislature, 1931, and declaring an emergency."

H. B. No. 663, A bill to be entitled "An Act providing for the beginning of the terms of certain State and Dis-

trict offices of the State of Texas, and declaring an emergency."

H. B. No. 1155, A bill to be entitled "An Act amending Section 2 of Article 3883, Revised Civil Statutes of Texas, 1925, as amended by Chapter 20, Acts of the Forty-first Legislature, Fourth Called Session as amended by Chapter 340, Acts of the Forty-second Legislature, Regular Session, as amended by Chapter 220, Acts of the Forty-third Legislature, Regular Session, by providing that in counties containing not less than 29,500 nor more than 30,000 population according to the last preceding Federal Census the Constable shall be allowed to retain out of the fees collected by such officer the sum of Twenty-four Hundred (\$2,400.00) Dollars, and declaring an emergency."

H. B. No. 1162, A bill to be entitled "An Act to authorize the Commissioner's Court of Montgomery County to pay bounties under certain conditions for the destruction of wolves, and declaring an emergency."

H. B. No. 1176, A bill to be entitled "An Act amending Section 27 of Article 199, Revised Civil Statutes of Texas, 1925, as amended by Chapter 305, Acts of the Forty-second Legislature, Regular Session, by omitting the January Term of Court in Mills County, Texas, and declaring an emergency."

Has adopted

S. C. R. 71, Granting permission to the heirs or legatees of Thomas F. McKinney to sue the State of Texas.

Has passed

S. B. No. 460, A bill to be entitled "An Act amending Article 2832 of Chapter 15, Title 49 of the Revised Civil Statutes of Texas, 1925, as amended by Chapter 127, Acts, Regular Session, Thirty-ninth Legislature, as amended by Chapter 27, Acts, First Called Session, Forty-second Legislature, and as amended by Chapter 133, Acts, Regular Session, Forty-third Legislature, and declaring an emergency."

Has adopted

S. C. R. No. 72, Inviting Hon. Joseph Daniels to address a Joint Session of the Legislature at 11:30 Friday morning, May 21st.

S. C. R. No. 62, Permitting certain corporations to sue the State.

Respectfully,

BOB BARKER,

Secretary of the Senate.

HOUSE BILL NO. 557 WITH SENATE AMENDMENTS

Mr. Celaya called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 557, A bill to be entitled "An Act providing for the licensing of all persons before engaging in the business of handling perishable agricultural commodities as defined in this Act, whether as a commission merchant, dealer, broker or as agent of any commission merchant, dealer, or broker; defining certain terms as used herein; providing manner of settlement by licensees with producer, seller or owner; providing that all contracts between dealers and owners, sellers or producers, shall be in writing and providing time and manner of settlement, making it unlawful for any person to engage in business as a commission merchant, dealer, broker or as an agent of any commission merchant, dealer or broker without first complying with the terms and provisions of this Act; . . . etc., and declaring an emergency."

The Speaker laid the bill before the House with the Senate amendments.

Mr. Celaya moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

RELATIVE TO EXPENSE AC- COUNT OF MEMBERS

Mr. Harris of Dickens offered the following resolution:

Whereas, A number of the Members of the House have overdrawn their allowance for stamps, stationery and supplies therefore creating a shortage in the supply room; and

Whereas, The Regular Session of the Forty-fifth Legislature is nearing its termination; now, therefore, be it

Resolved, That the Members of the House, with the approval of the Chairman of Contingent Expenses, be allowed not to exceed \$30.00 withdrawal from their contingent expense account during the last week of the long session of the Forty-fifth Legislature, but in no instance will any Member's account exceed \$200.00.

HARRIS of Dickens,
ALSUP.

The resolution was read second time.

Mr. Keefe offered the following amendment to the resolution:

Amend the resolution, by adding a section to read as follows: "Provided, however, that those who are on legislative committees may be allowed a reasonable allowance in stamps by the committee."

Mr. Alsup moved to table the amendment by Mr. Keefe.

The motion to table prevailed.

Mr. Leonard offered the following amendment to the resolution:

Amend the resolution, by striking out all after the word "Legislature" in next to the last line.

The amendment was adopted.

Mr. Leonard offered the following amendment to the resolution:

Amend the resolution, by adding after the word "withdrawal" in the last paragraph, the word "in stamps".

Mr. Morse offered the following substitute for the amendment by Mr. Leonard:

Amend the resolution, by adding the words "stamps and supplies" after the word "withdrawal".

The substitute amendment was adopted.

The amendment, as substituted, was then adopted.

Question then recurring on the resolution, as amended, it was adopted.

Mr. Leonard moved to reconsider the vote by which the resolution was adopted, and to table the motion to reconsider.

The motion to table prevailed.

GRANTING CERTAIN DISTRICT JUDGE PERMISSION TO BE ABSENT FROM THE STATE

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 70, Granting Judge Few Brewster permission to be absent from the State.

Be It Resolved by the Senate of Texas, the House of Representatives concurring, That Few Brewster, Judge of the 27th Judicial District of Texas, be, and he is hereby granted permission to be absent from the State of Texas, at such intervals and for such time as he may see fit and

proper while his courts are in vacation during the years 1937 and 1938.

The resolution was read second time, and was adopted.

GRANTING PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 62, To grant permission to sue State.

Whereas, The hereinafter named corporations, each being either organized under and doing business by

virtue of the laws of the State of Texas or being a foreign corporation having a permit issued by the Secretary of State authorizing it to do business in Texas, and doing business under and by virtue of such permit, have overpaid their franchise taxes for the years hereinafter set forth; and

Whereas, The respective amounts paid by such corporations have been duly certified to by the Secretary of State; the names of such corporations and the years for which such overpayments were made being as follows:

Name	Years
International Pipe Line Company	1935 and 1936
E. G. Rall Grain Company	1920-1935, inclusive
American Liberty Oil Company	1934 and 1935
Tyler Pipe Line Company	1933-1936, inclusive
Armstrong Packing Company	1898-1927, inclusive
Burrus Mill and Elevator Company	1921-1929, inclusive
Trinity Products Company	1916-1929, inclusive
Dallas Waste Mills	1916-1928, inclusive
Waxahachie Cotton Mills Company	1916-1929, inclusive
M. H. Wolfe and Company	1912-1924, inclusive
Fant Milling Company	1921-1929, inclusive
Morton Milling Company	1920-1929, inclusive
Mike H. Thomas	1917-1930, inclusive
Federal Pipe Line Company	1934-1936, inclusive
Schoellkopf Company	1916-1929, inclusive
Perkins Dry Goods Company	1915-1929, inclusive
Collin County Mill and Elevator Company	1923-1929, inclusive

and

Whereas, It is contended by each of such corporations that such overpayments were not made voluntarily, but as a result of legal duress; and each of such corporations now desire to bring suit against the State of Texas for the recovery of the sum or sums so overpaid; now, therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That each of said corporations is hereby severally granted permission to bring suit against the State of Texas to recover the full amount of overpayment of its franchise tax and filing fees for the year or years hereinabove enumerated; such suit or suits may be filed in any court of competent jurisdiction, State or Federal, in Travis County, Texas, and service therein may be had upon the Governor and Attorney General; either party to such suit or suits shall have the right to appeal as in other civil cases, and any judgment or judgments that may be finally established shall be a liquidated debt against the

State of Texas and shall be paid by the State Treasurer, upon warrants drawn by the Comptroller, out of the General Fund.

The resolution was read second time, and was referred, by the Speaker, to the Committee on State Affairs.

GRANTING PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 71, Granting heirs of Thomas F. McKinney permission to sue the State.

Whereas, The firm of McKinney and Williams of Galveston, Texas, of which form Thomas F. McKinney was a member, owning an undivided one-half interest in same, advanced to the Provisional Government during the War for the Independence of Texas from Mexico and to the Republic of Texas after Independence was obtained, various sums of money and

various amounts in goods, wares, and merchandise and services, for which complete settlement was never obtained; and

Whereas, Thomas F. McKinney, or his heirs, or legatees, have never been compensated for such advances made by Thomas F. McKinney, or of his proportionate part of such advances made by the firm of McKinney and Williams; and

Whereas, The Congress of the Republic of Texas, or the Legislature of the State of Texas have never fully paid the claim of Thomas F. McKinney, either to him or to his heirs or legatees; and

Whereas, This claim is long overdue and should be settled and a necessity exists for the determination of the month involved in this claim and a settlement thereof in a court of competent jurisdiction; now, therefore, be it

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That the heirs or the legatees of the said Thomas F. McKinney, be and are hereby granted permission, and given the authority to institute a suit against the State of Texas in a court of competent jurisdiction in Travis County, Texas, to determine and settle the amount of the claim above referred to, together with interest thereon. Service upon the Attorney General of the State of Texas shall be sufficient service and notice to the State of Texas as to the suit brought hereunder.

The resolution was read second time, and was referred, by the Speaker, to the Committee on State Affairs.

INVITING JOSEPHUS DANIELS TO ADDRESS A JOINT SESSION

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 72, Inviting Josephus Daniels to address a Joint Session.

Whereas, The Honorable Josephus Daniels, Secretary of the Navy under President Wilson and now United States Ambassador to the Republic of Mexico, will stop in Austin Friday on his way to Dallas; now, therefore, be it

Resolved by the Senate, the House of Representatives concurring, That Ambassador Daniels be invited to address a Joint Session of the Legisla-

ture at eleven thirty Friday morning, May 21st; and, that a committee composed of three Senators and three Representatives be appointed by the respective presiding officers to escort the distinguished gentleman to the Joint Session.

The resolution was read second time, and was adopted.

HOUSE BILL NO. 924 ON FINAL PASSAGE

Mr. Gibson moved to reconsider the vote by which House Bill No. 924 was, on yesterday, passed.

The motion prevailed.

Question—Shall House Bill No. 924 be passed?

Mr. Gibson offered the following amendment to the bill:

Amend House Bill No. 924, by striking out after the word "steals" in line 13 the following: "drives, operates or causes to be so driven or operated upon any public road or highway".

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 924 was then passed by the following vote:

Yeas—116

Adkins	Farmer
Alsup	Felty
Amos	Fielden
Baker	Fox
Bates	Fuchs
Beckworth	Gibson
Bell	Graves
Blankenship	Hamilton
Boethel	Hanna
Bond	Harbin
Boyer	Hardin
Bradbury	Harris of Dallas
Bridgers	Harris of Dickens
Broadfoot	Hartzog
Brown	Heflin
Burton	Herzik
Cagle	Hoskins
Callan	Howard
Cathey	Huddleston
Cauthorn	Hyder
Cleveland	Jackson
Colquitt	James
Davis of Jasper	Johnson of Ellis
Davison of Fisher	Jones of Atascosa
Deglandon	Jones of Angelina
Dickison	Jones of Falls
Dollins	Jones of Wise
England	Keefe

Keith	Prescott
Kelt	Quinn
Kern	Ragsdale
King	Reader
Knetsch	Reed of Bowie
Langdon	Reed of Dallas
Lankford	Rhodes
Lanning	Riddle
Leath	Roark
Leonard	Ross
Leyendecker	Rutta
Little	Sharpe
Loggins	Shell
London	Simpson
Lucas	Skaggs
Mann	Smith of Hopkins
Mauritz	Smith
McDonald	of Matagorda
McKee	Smith of Tarrant
Metcalfe	Stinson
Moffett	Talbert
Monkhouse	Tennant
Morse	Tennyson
Newton	Thornberry
Nicholson	Thornton
Oliver	Waggoner
Patterson of Mills	Walker
Patterson	Weldon
of Travis	Westbrook
Petsch	Wood
Powell	Worley

Nays—1

Johnson
of Tarrant

Absent

Alexander	Mays
Carssow	McConnell
Celaya	McCracken
Davisson	McFarland
of Eastland	McKinney
Dean	Morris
Derden	Palmer
Hankamer	Pope
Harper	Settle
Harrell	Sewell
Harris of Archer	Stevenson
Holland	Tarwater
Hull	Vale
Kenyon	Winfree

Absent—Excused

Bradford	Schuenemann
Davis of Haskell	Stocks
Russell	

HOUSE BILL NO. 456 WITH SEN-
ATE AMENDMENTS

Mr. Colquitt called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 456, A bill to be entitled "An Act providing that on and after

April 1st, 1937, delinquent taxpayers shall be permitted to pay such taxes in partial payments; providing for the creation and establishment of a system whereby such payments may be made in this manner; providing for a ten months time limit in the payment of delinquent taxes under this system; providing for the institution of suit by the District Attorney or Criminal District Attorney against such delinquent taxpayers upon default in making such payments under this system; . . . etc., and declaring an emergency."

The Speaker laid the bill before the House with the Senate amendments.

On motion of Mr. Colquitt, the House concurred in the Senate amendments by the following vote:

Yeas—119

Adkins	Harris of Dickens
Alsup	Heflin
Amos	Herzik
Baker	Hoskins
Bates	Howard
Beckworth	Huddleston
Bell	Hyder
Blankenship	Jackson
Boethel	James
Bond	Johnson of Ellis
Boyer	Johnson
Bradbury	of Tarrant
Bridgers	Jones of Atascosa
Broadfoot	Jones of Angelina
Brown	Jones of Falls
Burton	Jones of Wise
Cagle	Keefe
Callan	Keith
Cathey	Kelt
Cauthorn	Kern
Cleveland	King
Colquitt	Knetsch
Davisson	Langdon
of Eastland	Lankford
Deglandon	Lanning
Dickison	Leath
Dollins	Leonard
England	Leyendecker
Farmer	Little
Felty	London
Fielden	Lucas
Fox	Mann
Fuchs	Mauritz
Gibson	Mays
Graves	McDonald
Hamilton	McFarland
Hankamer	McKee
Hanna	McKinney
Harbin	Metcalfe
Hardin	Moffett
Harrell	Monkhouse
Harris of Dallas	Morse

Newton	Shell
Oliver	Simpson
Patterson of Mills	Skaggs
Patterson	Smith of Hopkins
of Travis	Smith
Petsch	of Matagorda
Pope	Smith of Tarrant
Powell	Stinson
Prescott	Tarwater
Quinn	Tennant
Ragsdale	Thornberry
Reader	Thornton
Reed of Bowie	Vale
Reed of Dallas	Waggoner
Rhodes	Walker
Riddle	Weldon
Roark	Westbrook
Ross	Winfree
Rutta	Wood
Sharpe	

Nays—1

Nicholson

Absent

Alexander	Kenyon
Carssow	Loggins
Celaya	McConnell
Davis of Jasper	McCracken
Davison of Fisher	Morris
Dean	Palmer
Derden	Settle
Harper	Sewell
Harris of Archer	Stevenson
Hartzog	Talbert
Holland	Tennyson
Hull	Worley

Absent—Excused

Bradford	Schuenemann
Davis of Haskell	Stocks
Russell	

**CONFERENCE COMMITTEE RE-
PORT ON HOUSE BILL
NO. 838**

Mr. Graves, Chairman, submitted the following Conference Committee Report on House Bill No. 838:

Committee Room,

Austin, Texas, May 18, 1937.

Honorable Walter F. Woodul, President of the Senate.

Honorable R. W. Calvert, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the two Houses on House Bill No. 838, beg leave to report that we have had same under consideration, and recommend that it do pass in the form and text attached hereto.

Respectfully submitted,

REDDITT,
WEINERT,
BECK,
SMALL,

On the part of the Senate.

GRAVES,
CAGLE,
STEVENSON,
JONES of Falls,

On the part of the House.

H. B. No. 838,

A BILL

To Be Entitled

An Act making an appropriation for the support and maintenance of the Judiciary of the State of Texas for the biennium beginning September 1, 1937, and ending August 31, 1939; requiring certain fees paid to clerks or officers of all Appellate Courts to be deposited monthly in the State Treasury; prescribing certain rules and restrictions respecting the expenditures of appropriations made herein; suspending all laws in conflict herewith; declaring the invalidity of any portion of this Act shall not affect any other portion, and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. That the several sums of money herein specified, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the State Treasury, not otherwise appropriated, for the purposes herein indicated, as follows:

COURT OF CIVIL APPEALS

First District, Galveston, Texas

		For the Years Ending	
		August 31, 1938	August 31, 1939
1.	Salaries of three judges at \$6,500.00 each per year	\$19,500.00	\$19,500.00
2.	Salary of clerk	4,000.00	4,000.00
3.	Salaries of deputy clerks and/or law clerks and/or stenographers	3,420.00	3,420.00
4.	Salary of porter	750.00	750.00
5.	Fuel, lights, water, equipment, maintenance and contingent expenses	650.00	650.00
6.	Books for library	625.00	625.00
Total		\$28,945.00	\$28,945.00

COURT OF CIVIL APPEALS

Second District, Fort Worth, Texas

		For the Years Ending	
		August 31, 1938	August 31, 1939
1.	Salaries of three judges at \$6,500.00 each per year	\$19,500.00	\$19,500.00
2.	Salary of clerk	4,000.00	4,000.00
3.	Salaries of deputy clerks and/or law clerks and/or stenographers	3,420.00	3,420.00
4.	Salary of porter	720.00	720.00
5.	Equipment, maintenance and contingent expenses	500.00	500.00
6.	Books for library	625.00	625.00
Total		\$28,765.00	\$28,765.00

COURT OF CIVIL APPEALS

Third District, Austin, Texas

		For the Years Ending	
		August 31, 1938	August 31, 1939
1.	Salaries of three judges at \$6,500.00 each per year	\$19,500.00	\$19,500.00
2.	Salary of clerk	4,000.00	4,000.00
3.	Salaries of deputy clerks and/or law clerks and/or stenographers	3,420.00	3,420.00
4.	Salary of porter	720.00	720.00
5.	Equipment, maintenance and contingent expenses	900.00	600.00
6.	Books for library	400.00	400.00
7.	Covering consultation room	200.00	
Total		\$29,140.00	\$28,640.00

COURT OF CIVIL APPEALS

Fourth District, San Antonio, Texas

	For the Years Ending	
	August 31, 1938	August 31, 1939
1. Salaries of three judges at \$6,500.00 each per year	\$19,500.00	\$19,500.00
2. Salary of clerk	4,000.00	4,000.00
3. Salaries of deputy clerks and/or law clerks and/or stenographers	3,420.00	3,420.00
4. Salary of porter	720.00	720.00
5. Equipment, maintenance and contingent expenses..	500.00	500.00
6. Books for library	625.00	625.00
Total	\$28,765.00	\$28,765.00

COURT OF CIVIL APPEALS

Fifth District, Dallas, Texas

	For the Years Ending	
	August 31, 1938	August 31, 1939
1. Salaries of three judges at \$6,500.00 each per year	\$19,500.00	\$19,500.00
2. Salary of clerk	4,000.00	4,000.00
3. Salaries of deputy clerks and/or law clerks and/or stenographers	3,420.00	3,420.00
4. Salary of porter	720.00	720.00
5. Equipment, maintenance and contingent expenses..	500.00	500.00
6. Books for library	625.00	625.00
Total	\$28,765.00	\$28,765.00

COURT OF CIVIL APPEALS

Sixth District, Texarkana, Texas

	For the Years Ending	
	August 31, 1938	August 31, 1939
1. Salaries of three judges at \$6,500.00 each per year	\$19,500.00	\$19,500.00
2. Salary of clerk	4,000.00	4,000.00
3. Salaries of deputy clerks and/or law clerks and/or stenographers	3,420.00	3,420.00
4. Salary of porter	720.00	720.00
5. Light, fuel, equipment, maintenance and contingent expenses	725.00	725.00
6. Books for library	625.00	625.00
Total	\$28,990.00	\$28,990.00

COURT OF CIVIL APPEALS
Seventh District, Amarillo, Texas

		For the Years Ending	
		August 31,	August 31,
		1938	1939
1.	Salaries of three judges at \$6,500.00 each per year	\$19,500.00	\$19,500.00
2.	Salary of clerk	4,000.00	4,000.00
3.	Salaries of deputy clerks and/or law clerks and/or stenographers	3,420.00	3,420.00
4.	Salary of porter	750.00	750.00
5.	Equipment, maintenance and contingent expenses	500.00	500.00
6.	Books for library	625.00	625.00
Total		\$28,795.00	\$28,795.00

COURT OF CIVIL APPEALS
Eighth District, El Paso, Texas

		For the Years Ending	
		August 31,	August 31,
		1938	1939
1.	Salaries of three judges at \$6,500.00 each per year	\$19,500.00	\$19,500.00
2.	Salary of clerk	4,000.00	4,000.00
3.	Salaries of deputy clerks and/or law clerks and/or stenographers	3,420.00	3,420.00
4.	Salary of porter	750.00	750.00
5.	Equipment, maintenance and contingent expenses	500.00	500.00
6.	Books for library	625.00	625.00
Total		\$28,795.00	\$28,795.00

COURT OF CIVIL APPEALS
Ninth District, Beaumont, Texas

		For the Years Ending	
		August 31,	August 31,
		1938	1939
1.	Salaries of three judges at \$6,500.00 each per year	\$19,500.00	\$19,500.00
2.	Salary of clerk	4,000.00	4,000.00
3.	Salaries of deputy clerks and/or law clerks and/or stenographers	3,420.00	3,420.00
4.	Salary of porter	720.00	720.00
5.	Equipment, maintenance and contingent expenses	500.00	500.00
6.	Books for library	625.00	625.00
Total		\$28,765.00	\$28,765.00

COURT OF CIVIL APPEALS
Tenth District, Waco, Texas

		For the Years Ending	
		August 31,	August 31,
		1938	1939
1.	Salaries of three judges at \$6,500.00 each per year	\$19,500.00	\$19,500.00
1a.	Salary of one special commissioner	6,500.00	6,500.00
2.	Salary of clerk	4,000.00	4,000.00
3.	Salaries of deputy clerks and/or law clerks and/or stenographers	3,420.00	3,420.00

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4. Salary of porter	720.00	720.00
5. Equipment, maintenance and contingent expenses..	500.00	500.00
6. Books for library, repairs to furniture.....	950.00	950.00
Total.....	\$35,590.00	\$35,590.00

COURT OF CIVIL APPEALS Eleventh District, Eastland, Texas

	For the Years Ending August 31, August 31, 1938 1939	
1. Salaries of three judges at \$6,500.00 each per year..	\$19,500.00	\$19,500.00
2. Salary of clerk	4,000.00	4,000.00
3. Salaries of deputy clerks and/or law clerks and/or stenographers	3,420.00	3,420.00
4. Salary of porter	720.00	720.00
5. Equipment, maintenance and contingent expenses..	500.00	500.00
6. Books for library	625.00	625.00
Total.....	\$28,765.00	\$28,765.00
Traveling expenses of judges of Courts of Civil Appeals when sitting in other districts.....	\$ 1,500.00	\$ 1,500.00

SUPREME COURT AND SUPREME COURT COMMISSION OF APPEALS, SECTIONS A AND B

	For the Years Ending August 31, August 31, 1938 1939	
1. Salaries of three judges of Supreme Court at \$8,000.00 each per year	\$ 24,000.00	\$ 24,000.00
2. Salaries of six judges of Supreme Court Commission of Appeals, Sections A and B at \$7,500.00 each per year	45,000.00	45,000.00
3. Salary of clerk of Supreme Court, including salary for services to Commission of Appeals....	5,400.00	5,400.00
4. Salary of reporter	3,600.00	3,600.00
5. Salaries of two briefing clerks and law clerk-secretaries to the Supreme Court, one not to exceed \$3,000 per year, one not to exceed \$2,750.00 per year; and two law clerk-secretaries to the Supreme Court not to exceed \$2,400 each per year; and four law clerk-secretaries to the Commission of Appeals at not more than \$1,800 each per year	21,600.00	21,600.00
6. Salary of marshall and assistant librarian.....	2,100.00	2,100.00
7. Salary of two porters at \$720 each per year and salary of one porter and record room clerk at \$1,000 per year	2,440.00	2,440.00
8. Salary of one deputy who shall also act as secretary to the Board of Legal Examiners, not to exceed \$3,300 per year, and three deputies		

not to exceed \$2,700 each per year to be determined by the Clerk with the consent of the Court	11,400.00	11,400.00
9. One deputy clerk and assistant secretary to the Board of Legal Examiners at \$2,100 per year	2,100.00	2,100.00
10. Printing, postage, express, books, rebinding, repairs, furniture, equipment, cases and contingent expenses	5,000.00	5,000.00
Total	\$122,640.00	\$122,640.00

COURT OF CRIMINAL APPEALS AND COMMISSION IN AID OF
COURT OF CRIMINAL APPEALS

	For the Years Ending August 31, 1938 August 31, 1939	
1. Salaries of three judges at \$8,000 each per year	\$ 24,000.00	\$ 24,000.00
2. Salaries of two judges of Commission in Aid of Court of Criminal Appeals at \$7,500 each per year	15,000.00	15,000.00
3. Salary of clerk	4,500.00	4,500.00
4. Salary of bailiff	2,400.00	2,400.00
5. Salaries of briefing clerks and of law clerk-secretaries, who also do legal research work for the Court of Criminal Appeals and the Commission in Aid of the Court; salaries of briefing clerks not to exceed \$2,400 each per year and of law clerk-secretaries not to exceed \$2,100 each per year	9,000.00	9,000.00
6. Salary of Court Reporter	4,000.00	4,000.00
6a. Salary Secretary-Clerk Court Reporter	1,800.00	1,800.00
7. Salary of porter	720.00	720.00
8. Postage, telephone, box rent, record books, stationery, furniture, filing cases, filing envelopes, typewriters, pictures of deceased judges and contingent expenses	2,000.00	2,000.00
Total	\$ 61,000.00	\$ 61,000.00

STATE PROSECUTING ATTORNEY BEFORE THE COURT OF
CRIMINAL APPEALS

	For the Years Ending August 31, 1938 August 31, 1939	
1. Salary of attorney	\$ 6,000.00	\$ 6,000.00
2. Salary of secretary and law clerk	2,100.00	2,100.00
3. Law books, telephone, postage, furniture, supplies, equipment, and contingent expenses	750.00	750.00
Total	\$ 8,850.00	\$ 8,850.00

JUDICIARY SECTION — COMPTROLLER'S DEPARTMENT

	For the Years Ending August 31, 1938 August 31, 1939	
1. Salaries of 128 District Judges and Criminal District Judges at \$5,000 each per year.....\$	640,000.00	\$ 640,000.00
(Subject, however, to the provisions of Section 6 herein.)		
2. Salaries, including the \$500 Constitutional allowance of 52 District Attorneys at \$4,000 per year (as per Chapter 442, Second Called Session, Forty-fourth Legislature)	208,000.00	208,000.00
3. Salary of Criminal District Attorney in districts composed of two or more counties (Section 18, Chapter 465, Forty-fourth Legislature)	4,500.00	4,500.00
4. Salary of District Attorney of 34th District (El Paso)	5,500.00	5,500.00
5. Salary of Assistant District Attorney of 34th District (El Paso)	2,700.00	2,700.00
6. Salaries of Assistant District Attorneys of 53rd District (Travis County), first Assistant at \$2,700 per year	5,700.00	5,700.00
7. Salary of Assistant District Attorney of Special 9th District (H. B. No. 142, First Called Session of Forty-third Legislature).....	2,750.00	2,750.00
8. Salary of one Assistant District Attorney or one investigator in 49th District	1,800.00	1,800.00
9. Compensation of one Assistant District Attorney or one special investigator for each of the following judicial districts: 49th, 53rd, 30th and 72nd; total of 4 assistants at 1,800.00 each per year	7,200.00	7,200.00
9a. Salary of Assistant District Attorney in 47th District	2,510.00	2,510.00
10. Salary of Assistant District Attorney of 22nd District (per Article 326K-3, Revised Civil Statutes of Texas, 1925)	3,600.00	3,600.00
11. District Judges and District Attorneys expenses in districts composed of two or more counties (per Article 6820, Revised Civil Statutes of Texas, 1925) payable quarterly.....	47,400.00	47,400.00
12. Special District Judges' salaries and regular District Judges' expenses when holding Court out of their districts	7,500.00	7,500.00
13. Transcript fees to official court reporters for narrative statement of facts and/or in cases where court is required and does appoint attorney to represent defendant in criminal action, and when official reporter is required and does furnish defendant's attorney with transcript of his notes as is provided by law..	1,000.00	1,000.00

14. Fees and cost of officials in cases of escheated estates, including accrued fees	50.00	50.00
15. Fees and cost of Sheriffs, Attorneys and clerks in felony cases, and fees of County Judges, County Attorneys, Justices of the Peace, Sheriffs and Constables in examining trials where indictments are returned	218,546.00	218,546.00
16. Apportionment to counties where county officers are paid salaries. (per Chapter 465, Section 6a, Second Called Session, Acts, Forty-fourth Legislature)	436,090.00	436,009.00
17. Apportionments to counties where county officers are paid salaries and where there is a Criminal District Attorney or County Attorney performing the duties of District Attorneys (for 33 counties; per subsection B, Section 13, Chapter 465, Acts, Forty-fourth Legislature)	146,429.00	146,429.00
18. Expenses of attached witnesses, witness fees, and mileage allowed witnesses in felony cases where the witness lives outside the county where the case is being tried	210,000.00	210,000.00
19. Special Judges of Supreme Court, Court of Criminal Appeals and Civil Appeals, where regular Judges are disqualified and where special Judges are appointed; per diem to be same as regular District Judge receives ..	1,200.00	1,200.00
20. Expenses of Civil Judicial Council (per Senate Bill No. 52, First Called Session, Forty-first Legislature)	1,350.00	1,350.00
21. Traveling expenses of Judges of Courts of Civil Appeals when sitting in other districts ..	1,500.00	1,500.00
Total	\$1,955,325.00	\$1,955,325.00

General Provisions—Judiciary

Sec. 2. All amounts appropriated in this Act for law books, or expended therefor under authority of this Act, shall be paid out of the General Fund and the special accounts in the General Revenue Fund as hereinafter provided. In accordance with the provisions of Chapter 104 of the printed General Laws of the Regular Session of the Forty-fourth Legislature, the several Courts of Civil Appeals are hereby authorized to purchase additional law books out of their local receipts, and there are hereby appropriated to each of said courts for such purposes for each of the fiscal years ending August 31, 1938, and August 31, 1939, the sum of Six Hundred and Twenty-five (\$625.00) Dollars out of

their local receipts in addition to the specified amounts herein appropriated for library books for said courts; provided further, and in accordance with said law that any of said Courts of Civil Appeals receiving a specific appropriation of less than \$625.00 per year for library books shall not expend from said local receipts more than the said specific amount herein appropriated.

Sec. 3. The salaries of all deputy clerks, law clerks, law clerk-secretaries, briefing clerks, secretaries and stenographers for whom appropriations are made in this Act in lump sums shall be fixed by the several courts at not exceeding the amounts specified herein. However if any such employee's services are not

needed or used his salary shall not be used to supplement other employee's salaries.

Sec. 4. All fees paid to any court for which appropriations are made herein or to any of the clerks, officers or employees of any such court, whether such fees are for official or unofficial copies of opinions, carbon copies, or for other services or documents, shall be deposited at the close of each month in the General Revenue Fund of the State Treasury and shall be carried as a special account in said fund for the court depositing same, and none of such fees shall be retained by or paid to said clerks, officers or employees. Each court employee whose salary is provided for herein, except porters, shall file, with such court monthly payroll, with the Comptroller at the end of each month an affidavit showing that he has not retained any compensation out of any court fees or other fees received by him or the court during the previous month and showing that all such fees have been deposited in the State Treasury. The Comptroller shall not issue a warrant in payment of the salary of any such employee for any month unless and until the affidavit required herein has been filed for said previous month.

Sec. 5 (a). Appropriations made in this Act are intended to be, and shall be, construed as being the maximum sums, respectively, except the extra amounts for library books herein provided, which may be used in any way for the purposes or objects named in the Act, and obligations shall not be incurred in any case which, when the amount thereof added to expenditures actually made, will exceed such maximum sum; and no surplus shall be diverted from one appropriation to another.

(b). All printing and stationery shall be purchased through the Board of Control and shall be confined to such articles and qualities as selected and contracted for by the Board of Control.

(c). No account against any items of witness fees, County Attorneys', Justices' of Peace, Sheriffs', and Constables' fees, and costs of Sheriffs, Attorneys and Clerks in felony cases, shall be binding as an obligation against the State of Texas, until such account shall have been examined, audited, and approved by the State Comptroller, and no such account

shall be paid by the State Treasurer until the same has been approved by the Comptroller.

(d). It shall be the duty of each of the Appellate Courts and judicial agencies of the State annually, and within sixty (60) days after the close of the State's fiscal year, to make a sworn statement to the Governor and the Board of Control of all amounts received and/or expended by said court and/or agency. A report from each court shall be filed annually for the calendar year with the Governor, and a copy thereof with the State Board of Control, showing the total number of cases filed in each court during the year, the number of cases transferred to and from each court, the number of cases disposed of with proper divisional classification as to total number of cases similarly disposed of, that is, by dismissal, final judgment, reversal, affirmance and any other statistical data which may be required by the Governor or State Board of Control.

(e). Annual salaries provided for herein shall be paid in twelve (12) equal monthly installments.

(f). No funds appropriated in this bill shall be used to pay any expense of traveling outside the boundaries of the State of Texas except for returning fugitives on trips authorized by the Governor, or for payment (or reimburse for payment) of any tip or gratuity whatsoever.

(g). Each officer, agent or employee of a court named in this Act and entitled to be paid a salary or other compensation out of any appropriation above made shall be paid by warrant and/or check issued in his or her name and specifically showing the amount of salary or sum due and the services for which the payment is being made (with date or dates and place or places of performance of such services) such warrant and/or check to be endorsed, before payment thereof, by such officer, agent or employee.

(h). Money appropriated above for stamps or postage shall be expended only upon warrants made payable to a Postmaster and endorsed by such Postmaster or his deputy or authorized clerk.

(i). That portion of every appropriation out of State funds or local receipts made herein which is unexpended at the close of the fiscal year for which the appropriation is

made shall immediately revert to and become a part of the General Revenue Fund. It is hereby provided that the word "unexpended" as used in this Act means "not disbursed nor contracted to be disbursed."

Sec. 6. Provided, however, that no district judge in this State in any county having a population of less than three hundred and fifty thousand (350,000) inhabitants, according to the last preceding or any future Federal Census, shall receive an annual salary of more than Sixty-five Hundred (\$6,500.00) Dollars from all sources of public funds, including that paid by the State and that paid by any such county as services for juvenile work, and in any case where the district judge receives more than Fifteen Hundred (\$1,500.00) Dollars from any such county for his services for juvenile work, then, the salary of Five Thousand (\$5,000.00) Dollars per annum herein provided for shall be reduced by the same amount which he receives from any such county in excess of Fifteen Hundred (\$1,500.00) Dollars, and the Comptroller is hereby prohibited from issuing any warrant to any district judge in any amount which will, together with his salary from any such county for juvenile work, exceed the sum of Sixty-five Hundred (\$6,500.00) Dollars per annum. This limitation is imposed as a condition precedent to the right of

any district judge to receive his salary from the State.

Section 7. All laws and parts of laws in conflict herewith are expressly suspended for the period of the biennium for which this appropriation is made.

Section 8. If any section, sentence, clause, or part of this Act shall, for any reason, be held to be invalid, such decision shall not affect the remaining portions of this Act, and it is hereby declared to be the intention of the Legislature to have passed each sentence, section, clause, or part thereof irrespective of the fact that any other sentence, section, clause or part thereof may be declared invalid.

Section 9. The fact that the above and foregoing is one of the regular appropriation bills to pay the salaries, support, maintenance and operation of the Judiciary and other important agencies of the State for the two (2) fiscal years beginning September 1, 1937, and ending August 31, 1939, and the crowded condition of the calendars of the two Houses of the Legislature, create an emergency and an imperative public necessity, requiring the Constitutional Rule that bills be read on three several days be suspended, and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

RECAPITULATION

	For the Years Ending August 31, 1938 August 31, 1939	
Court of Civil Appeals, First District, Galveston.....	\$ 28,945.00	\$ 28,945.00
Court of Civil Appeals, Second District, Fort Worth.....	28,765.00	28,765.00
Court of Civil Appeals, Third District, Austin.....	29,140.00	28,640.00
Court of Civil Appeals, Fourth District, San Antonio.....	28,765.00	28,765.00
Court of Civil Appeals, Fifth District, Dallas.....	28,765.00	28,765.00
Court of Civil Appeals, Sixth District, Texarkana.....	28,990.00	28,990.00
Court of Civil Appeals, Seventh District, Amarillo.....	28,795.00	28,795.00
Court of Civil Appeals, Eighth District, El Paso.....	28,795.00	28,795.00
Court of Civil Appeals, Ninth District, Beaumont.....	28,765.00	28,765.00
Court of Civil Appeals, Tenth District, Waco.....	35,590.00	35,590.00
Court of Civil Appeals, Eleventh District, Eastland.....	28,765.00	28,765.00
Traveling Expenses of Judges of Courts of Civil Appeals when sitting in other districts.....	1,500.00	1,500.00
	<hr/> \$325,580.00	<hr/> \$325,080.00
Supreme Court and Supreme Court Commission of Appeals, Sections A. and B.....	\$122,640.00	\$122,640.00

Court of Criminal Appeals and Commission in Aid of Court of Criminal Appeals; and State Prosec- uting Attorney before Court of Criminal Appeals.....	70,470.00	70,470.00
Judiciary of Comptroller's Department.....	1,955,325.00	1,955,325.00
Grand Totals	\$2,474,015.00	\$2,473,515.00
Combined Grand Total	\$4,947,530.00	

Mr. Graves moved that the report be adopted.

Mr. Harris of Dallas moved, as a substitute motion, that the report on House Bill No. 838 be not adopted, and that same be returned to the conference committee for further consideration.

Mr. Hanna moved to table the substitute motion by Mr. Harris of Dallas.

Question recurring on the motion to table, yeas and nays were demanded.

The roll of the House was called and the vote announced as follows: Yeas, 47; Nays, 46.

A verification of the vote was requested.

The roll of the "yeas" and "nays" was again called, and the verified vote resulted as follows:

Yeas—44

Boethel	Johnson of Ellis
Bradbury	Jones of Atascosa
Broadfoot	Keith
Burton	Knetsch
Cathey	Lankford
Colquitt	Lanning
Davis of Jasper	Leyendecker
Farmer	Loggins
Felty	Mauritz
Fielden	Palmer
Fuchs	Pope
Graves	Quinn
Hamilton	Reed of Bowie
Hanna	Ross
Hardin	Simpson
Harper	Skaggs
Harrell	Smith of Tarrant
Harris of Dickens	Tarwater
Heflin	Tennant
Holland	Tennyson
Huddleston	Walker
James	Wood

Nays—46

Alexander	Blankenship
Amos	Boyer
Baker	Callan

Carssow	London
Davison of Fisher	Lucas
Davisson	Mann
of Eastland	Mays
Dickison	McConnell
Dollins	McDonald
England	Metcalfe
Fox	Moffett
Harris of Archer	Morris
Harris of Dallas	Newton
Hoskins	Patterson
Howard	of Travis
Johnson	Petsch
of Tarrant	Prescott
Jones of Angelina	Ragsdale
Jones of Falls	Reed of Dallas
Jones of Wise	Roark
Keefe	Stinson
Kern	Thornberry
Langdon	Thornton
Leath	Worley
Leonard	

Present—Not Voting

Adkins	Kelt
Alsup	King
Bates	McFarland
Beckworth	McKee
Bell	Oliver
Bond	Powell
Bridgers	Settle
Cagle	Sharpe
Cauthorn	Smith
Deglandon	of Matagorda
Gibson	Talbert
Hankamer	Vale
Harbin	Waggoner
Herzik	Weldon
Hyder	Westbrook

Absent

Brown	Morse
Celaya	Nicholson
Cleveland	Patterson of Mills
Dean	Reader
Derder	Rhodes
Hartzog	Riddle
Hull	Rutta
Jackson	Sewell
Kenyon	Shell
Little	Smith of Hopkins
McCracken	Stevenson
McKinney	Winfree
Monkhouse	

Absent—Excused

Bradford	Schuenemann
Davis of Haskell	Stocks
Russell	

The Speaker announced that the motion to table was lost.

Question then recurring on the substitute motion by Mr. Harris of Dallas, yeas and nays were demanded.

The substitute motion was adopted by the following vote:

Yeas—54

Adkins	Kern
Alexander	Langdon
Amos	Leath
Baker	Leonard
Bell	London
Blankenship	Lucas
Boyer	Mann
Broadfoot	Mays
Callan	McConnell
Carssow	McDonald
Davison of Fisher	McFarland
Davisson	Metcalfe
of Eastland	Moffett
Dickison	Morris
Dollins	Newton
England	Nicholson
Fox	Patterson
Gibson	of Travis
Harris of Archer	Petsch
Harris of Dallas	Prescott
Hoskins	Reed of Dallas
Howard	Roark
Hull	Stinson
Johnson	Tennyson
of Tarrant	Thornberry
Jones of Angelina	Thornton
Jones of Falls	Walker
Jones of Wise	Worley
Keefe	

Nays—38

Alsop	Huddleston
Boethel	James
Bond	Johnson of Ellis
Bradbury	Jones of Atascosa
Burton	Keith
Cathy	Lankford
Cleveland	Lanning
Colquitt	Loggins
Farmer	Palmer
Fielden	Pope
Fuchs	Quinn
Graves	Reed of Bowie
Hamilton	Ross
Hanna	Simpson
Hardin	Skaggs
Harper	Smith
Harrell	of Matagorda
Holland	Smith of Tarrant

Tarwater
Tennant

Waggoner

Present—Not Voting

Bates	McKee
Beckworth	Monkhouse
Bridgers	Oliver
Cagle	Ragsdale
Davis of Jasper	Riddle
Deglandon	Rutta
Felty	Settle
Harbin	Sharpe
Harris of Dickens	Smith of Hopkins
Heflin	Talbert
Herzik	Vale
Hyder	Weldon
Kelt	Westbrook
King	Wood
Mauritz	

Absent

Brown	McCracken
Cauthorn	McKinney
Celaya	Morse
Dean	Patterson of Mills
Derden	Powell
Hankamer	Reader
Hartzog	Rhodes
Jackson	Sewell
Kenyon	Shell
Knetsch	Stevenson
Leyendecker	Winfree
Little	

Absent—Excused

Bradford	Schuenemann
Davis of Haskell	Stocks
Russell	

REASON FOR VOTE

I voted against the motion by Mr. Harris of Dallas because I did not wish to endanger the possibility of final passage of House Bill No. 838. I have not had—and do not now have—any interest in this local matter, but I feel that the local argument should not be allowed to jeopardize the chances of final passage of a major appropriation bill.

KEITH.

INSTRUCTION TO CONFEREES
ON HOUSE BILL NO. 838

Mr. Thornton moved that the conference committee on House Bill No. 838 be instructed to delete from the provisions of the bill that provision which sets the salary of Dallas County District Judges, same being Section 6 of the report.

Mr. Petsch moved the previous question on the pending motion, and

the main question was ordered.

Question recurring on the motion by Mr. Thornton, it prevailed.

CONFERENCE COMMITTEE APPOINTED ON HOUSE BILL NO. 557

The Speaker announced the appointment of the following Conference Committee, on the part of the House, on House Bill No. 557:

Messrs. Celaya, Leonard, Ragsdale, Leyendecker and Vale.

BILLS AND RESOLUTION SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills and resolution:

H. B. No. 781, "An Act amending Section One of Chapter 127, page 215, Acts, Regular Session, Forty-second Legislature, and declaring an emergency."

H. B. No. 348, "An Act amending Section 5, of Chapter 130, Acts of the Regular Session of the Forty-third Legislature, as amended by the Acts of 1934, Fourth Called Session of the Forty-third Legislature, so as to extend the time within which the contracts, bonds, notes or other evidence of indebtedness authorized by said Chapter 130, as amended, shall not be issued or executed after the Thirty-first day of December, 1937, and declaring an emergency."

H. B. No. 547, "An Act to declare a State Policy regarding the activities of the various agricultural agencies of the State, especially as they affect cotton, and the increased use and consumption of same; directing that the heads of the State's various agricultural agencies shall take due notice of said policy; providing for the establishment of a cotton research laboratory and making an appropriation therefor, stating a contingency upon which said appropriation is made; providing for the location of said laboratory, and declaring an emergency."

H. B. No. 1120, "An Act fixing the salary of County Commissioners in all counties having an assessed valuation of not less than \$16,000,000.00 nor more than \$17,000,000.00, and containing a population of not

less than 19,000 nor more than 19,900 according to the last Federal Census; repealing all laws in conflict herewith, and declaring an emergency."

H. B. No. 774, "An Act amending certain sections of Senate Bill No. 146 passed by the Regular Session of the Forty-fourth Legislature of the State of Texas, to-wit: Sections 5, 8, 11, 12, 15, 16, 17 and 23; providing for the Public Safety Commission to appoint a Director and an Assistant Director whose salaries shall be fixed by the Legislature; providing for the Director with the advice and consent of the Commission to appoint Chiefs of the several bureaus; providing for Texas Ranger captains, headquarters sergeant, and privates; providing that the Texas Highway Patrol Division shall consist of the Chief Patrol Officer, captains, sergeants, and privates as may be authorized by the Legislature, and such administrative and clerical help as determined by the Commission; providing for the Director with the advice and consent of the Commission, to name the Chief of the Bureau of Communications; . . . etc., and creating an emergency."

H. C. R. No. 90, Granting Mr. R. L. Gillespie permission to sue the State.

SENATE BILL ON FIRST READING

The following Senate bill, received from the Senate today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

Senate Bill No. 460, to the Committee on Banks and Banking.

RECESS

On motion of Mr. Harris of Archer, the House, at 12:15 o'clock p. m., took recess until 2:00 o'clock p. m., today.

AFTERNOON SESSION

The House met at 2:00 o'clock p. m., and was called to order by the Speaker.

LEAVES OF ABSENCE GRANTED
(By unanimous consent)

Mr. Heflin was granted leave of absence for this afternoon, on account of important business, on motion of Mr. Monkhouse.

Mr. McKee was granted leave of absence for this afternoon, on account of important business, on motion of Mr. Calvert.

Mr. Jones of Falls was granted leave of absence for this afternoon, on account of important business, on motion of Mr. Adkins.

MESSAGE FROM THE SENATE

Austin, Texas, May 19, 1937.
Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has granted the request of the House for a conference committee to adjust the differences between the two Houses on House Bill No. 1175.

The following have been appointed on the part of the Senate:

Senators Roberts, Holbrook, Moore, Shivers and Collie.

The Senate has concurred in House amendments to Senate Bill No. 495 by the following vote: Yeas, 29; Nays, 0.

The Senate has failed to pass to engrossment

S. B. No. 211, A bill to be entitled "An Act to provide for the creation of the office of the Commissioner of Education of the State of Texas, fixing the qualification of the Commissioner of Education, his salary, and his term of office, abolishing the office of State Superintendent of Public Instruction of the State of Texas, transferring all the duties imposed by law upon the State Superintendent of the State of Texas at the time this Act goes into effect to the Commissioner of Education, providing that said Commissioner of Education shall be appointed by a majority vote of the State Board of Education, etc."

By the following vote: Yeas, 9, Nays, 18.

Respectfully,

BOB BARKER,
Secretary of the Senate.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 130

Mr. James, Chairman, submitted the following Conference Committee Report on House Bill No. 130:

Committee Room,

Austin, Texas, May 11, 1937.

Hon. Walter F. Woodul, President of the Senate.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the House and Senate on House Bill No. 130, beg leave to report that we have considered the same and recommend that it do pass in the form as attached hereto.

Respectfully submitted,

ONEAL,
BROWNLEE,
STONE,
WEINERT,
LEMENS,

On the part of the Senate.

JAMES,
CAGLE,
DERDEN,
HOWARD,
THORNBERRY,

On the part of the House.

H. B. No. 130,

A BILL

To Be Entitled

An Act declaring the use of lands for the creation of lakes and reservoirs to be superior to other purposes; providing for the right of eminent domain by conservation and reclamation districts, and other districts created under Section 59 of Article XVI of the Constitution of Texas for the purpose of controlling, storing, and conserving storm and flood waters of the rivers and streams in Texas; providing the procedure to be followed in such proceedings; prescribing the method of assessing damages, and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. The use of lands for the construction of dams and the creation of lakes and reservoirs created by such dams constructed on the rivers and streams of the State of Texas by conservation and reclamation districts, and other public districts and bodies politic created for the purpose of the conservation and development of the natural resources of this State, including the controlling, storing, preservation, and distribution of its storm and flood waters, the waters of its rivers and streams, for irrigation, power, and all other useful pur-

poses, under Section 59 of Article XVI of the Constitution of the State of Texas, is hereby declared to be superior to all other uses; and for such other purposes all such districts and bodies politic shall have the power and right of eminent domain for the purpose of acquiring by condemnation any and all land, real estate, improvements, and other property owned and held for cemeteries or burial places, necessary for the construction of any dam or lying within the area to be covered by any lake or reservoir to be created by the construction of any such dam, or within three hundred (300) feet of the high water line of any such lake or reservoir.

Section 2. The procedure in any such condemnation proceeding shall be as provided by Title 52 of the Revised Civil Statutes of Texas, 1925, as amended; provided that the notice stipulated in Article 3264 shall be served on the owner of the title to the land on which such cemetery is situated, and in addition thereto, general notice to all persons having relatives interred in said cemetery shall be given by publication of such notice for two consecutive weeks in some newspaper published in the English language in the county in which such cemetery is situated, and if there be no such newspaper published in such county, then in a newspaper in the nearest county in which such newspaper is published; and provided further that in assessing damages the measure of damages for the land shall be assessed as in other cases, and there shall be assessed an additional amount of damages sufficient to provide for the expense of removal and reinterment of any body or bodies interred in any such cemetery or burial place, and the expense of removing and resetting any monuments or markers erected at such graves, which additional sum shall be deposited in the registry of the court and shall be disbursed only for the purpose of removing and reintering such body or bodies in such other cemetery within the State of Texas as may be agreed upon by the directors of such district and the relatives of the deceased person or persons, or in the event such agreement cannot within thirty days be made or no relatives appear to designate such cemetery, then in such cemetery as may be directed by the county judge

of the county in which such proceedings are filed; or, in lieu of depositing such additional amount for the removal and reinterment of such body or bodies, the applicant for condemnation may give a bond in such amount as may be fixed by said county judge to cover such costs of removal and reinterment, said bond to be payable to and approved by the county judge, and conditioned that such body or bodies will be removed and reinterred as provided in this Article.

Section 3. The importance of this legislation to a very large area of the most productive agricultural and other lands of the State, and the fact that there is not adequate law on this subject and the consequent need of immediate removal of some cemeteries, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days be suspended, and that this Act be placed upon its third reading and final passage, and the said Rule is hereby suspended, and this Act shall take effect from and after its passage, and it is so enacted.

On motion of Mr. Cagle, the report was adopted.

HOUSE BILL NO. 1082 ON SECOND READING

(By unanimous consent)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1082, A bill to be entitled "An Act granting and donating to Shelby County all the State ad valorem taxes levied and collected for State general revenue purposes upon the property and from persons in said County, including ad valorem taxes on rolling stock belonging to railroad companies for a period of five years beginning with the taxable year, 1937, for the use of said County for the purpose of constructing improvements therein to prevent soil erosion, flood control, irrigation, drainage, reforestation, road building, and law enforcement, and further providing that said taxes shall be levied, assessed and collected in the manner now provided by law . . . etc., and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 1082 ON THIRD
READING

Mr. Oliver moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 1082 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—95

Adkins	Langdon
Alsup	Leath
Amos	Leonard
Baker	Little
Bates	Loggins
Beckworth	London
Bell	Lucas
Blankenship	Mann
Boethel	Mays
Boyer	McDonald
Bridgers	McKinney
Broadfoot	Moffett
Brown	Monkhouse
Cagle	Newton
Callan	Oliver
Carssow	Palmer
Cathey	Patterson of Mills
Cauthorn	Patterson
Cleveland	of Travis
Davis of Jasper	Petsch
Deglandon	Pope
Dickison	Powell
Farmer	Prescott
Felty	Quinn
Fox	Reed of Bowie
Gibson	Rhodes
Hamilton	Roark
Hanna	Ross
Harbin	Rutta
Hardin	Sewell
Harper	Shell
Harris of Dallas	Simpson
Harris of Dickens	Skaggs
Herzik	Smith of Hopkins
Holland	Smith
Hoskins	of Matagorda
Huddleston	Smith of Tarrant
Hull	Stinson
Hyder	Talbert
Johnson of Ellis	Tennant
Jones of Angelina	Thornberry
Jones of Atascosa	Thornton
Jones of Wise	Waggoner
Keefe	Walker
Kelt	Weldon
Kenyon	Westbrook
Kern	Winfree
King	Worley
Knetsch	

Nays—11

Burton	Davison of Fisher
Colquitt	Fielden

Harris of Archer	Reed of Dallas
James	Sharpe
Lankford	Tennyson
Nicholson	

Present—Not Voting

Bradbury	McConnell
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Absent

Alexander	Keith
Bond	Lanning
Celaya	Leyendecker
Davisson	Mauritz
of Eastland	McCracken
Dean	McFarland
Derden	Metcalfe
Dollins	Morris
England	Morse
Fuchs	Ragsdale
Graves	Reader
Hankamer	Riddle
Harrell	Settle
Hartzog	Stevenson
Howard	Tarwater
Jackson	Vale
Johnson	Wood
of Tarrant	

Absent—Excused

Bradford	McKee
Davis of Haskell	Russell
Heflin	Schuenemann
Jones of Falls	Stocks

The Speaker then laid House Bill No. 1082 before the House on third reading and final passage.

The bill was read third time, and was passed.

HOUSE BILL NO. 1173 ON SECOND
READING

Mr. Petsch moved that all Rules be suspended and that House Bill No. 1173 be taken up and placed on its second reading and passage to engrossment.

The motion prevailed by the following vote:

Yeas—99

Adkins	Broadfoot
Alsup	Burton
Amos	Cagle
Baker	Callan
Bates	Carssow
Beckworth	Cathey
Bell	Cauthorn
Blankenship	Cleveland
Boethel	Colquitt
Boyer	Davis of Jasper
Bradbury	Deglandon
Bridgers	Dickison

Felty	McKinney
Fox	Moffett
Gibson	Monkhouse
Hamilton	Morse
Hanna	Newton
Harbin	Nicholson
Harper	Oliver
Harris of Archer	Palmer
Harris of Dallas	Patterson of Mills
Harris of Dickens	Patterson
Hartzog	of Travis
Herzik	Petsch
Holland	Pope
Hoskins	Powell
Huddleston	Prescott
Hull	Quinn
Hyder	Reed of Bowie
Johnson of Ellis	Rhodes
Jones of Angelina	Roark
Jones of Atascosa	Ross
Jones of Wise	Rutta
Keefe	Sewell
Kelt	Shell
Kenyon	Simpson
Kern	Skaggs
King	Smith of Hopkins
Knetsch	Smith
Langdon	of Matagorda
Leath	Smith of Tarrant
Leonard	Stinson
Little	Tennant
Loggins	Thornberry
London	Thornton
Lucas	Waggoner
Mann	Walker
Mays	Weldon
McConnell	Westbrook
McCracken	Winfree
McDonald	

Nays—5

Brown	Sharpe
Hardin	Worley
Lankford	

Present—Not Voting

Farmer

Absent

Alexander	Howard
Bond	Jackson
Celaya	James
Davison of Fisher	Johnson
Davison	of Tarrant
of Eastland	Keith
Dean	Lanning
Derden	Leyendecker
Dollins	Mauritz
England	McFarland
Fielden	Metcalfe
Fuchs	Morris
Graves	Ragsdale
Hankamer	Reader
Harrell	Reed of Dallas

Riddle	Tarwater
Settle	Tennyson
Stevenson	Vale
Talbert	Wood

Absent—Excused

Bradford	McKee
Davis of Haskell	Russell
Heflin	Schuenemann
Jones of Falls	Stocks

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 1173, A bill to be entitled "An Act applicable to the Counties of Mason, Menard, Kerr, Schleicher, Crockett, Sutton, Kimble, Bandera, Real, Edwards, Blanco, Llano, Kendall, Gillespie, El Paso, Hudspeth, Culberson, Val Verde, Kinney, Maverick, Terrell, Brewster, Hays, Caldwell, Harris, Bexar, Wood, Webb, State of Texas; requiring a Resident Hunting License of any resident citizen of this State hunting in said counties, with certain exemptions; requiring a Resident Fishing License of any resident citizen of this State fishing in said counties, with certain exemptions; requiring operators of shooting preserves to act as agents of the Game, Fish and Oyster Commission and to remit to said Commission ten per cent of all amounts collected for shooting privileges; defining a shooting preserve operator; requiring a report from such operators; providing for the remittance to the Game, Fish and Oyster Commission of all funds collected under the provisions of this Act and providing for the disposition of same; providing suitable penalties for violation of any provision of this Act; repealing all laws, in so far as they conflict with any provision of this Act; providing the rule of construction, and declaring an emergency."

The bill was read second time.

Mr. Cleveland offered the following amendment to the bill:

Amend House Bill No. 1173, by taking the names of Bexar, Hays, Wood, Bandera and Caldwell Counties out of the bill wherever they appear in caption or the body of the bill.

CLEVELAND,
PETSCH,
STEVENSON.

The amendment was adopted.

Mr. Farmer offered the following amendment to the bill:

Amend House Bill No. 1173, by adding at the end of the paragraph (Section), the following:

"Provided that any person owning a resident or a non-resident hunting license purchased in any county in Texas shall be entitled to hunt in any county in Texas and shall not be required to purchase any other license because of the provisions of this Act."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 1173 was then passed to engrossment.

HOUSE BILL NO. 1173 ON THIRD READING

Mr. Petsch moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 1173 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—107

Adkins	Hamilton
Alexander	Harbin
Alsup	Hardin
Amos	Harper
Baker	Harrell
Beckworth	Harris of Archer
Bell	Harris of Dallas
Blankenship	Harris of Dickens
Boethel	Herzik
Bond	Holland
Bradbury	Hoskins
Bridgers	Huddleston
Broadfoot	Hyder
Burton	James
Cagle	Johnson of Ellis
Callan	Johnson
Carssow	of Tarrant
Cathey	Jones of Angelina
Cauthorn	Jones of Wise
Cleveland	Keefe
Colquitt	Kelt
Davis of Jasper	Kenyon
Davison of Fisher	Kern
Davisson	King
of Eastland	Knetsch
Deglandon	Langdon
Dickson	Leath
Farmer	Leonard
Fox	Little
Fuchs	Loggins
Gibson	London

Lucas	Rhodes
Mann	Roark
Mays	Ross
McConnell	Rutta
McCracken	Sewell
McDonald	Sharpe
Metcalfe	Simpson
Moffett	Skaggs
Monkhouse	Smith of Hopkins
Morris	Smith
Morse	of Matagorda
Newton	Smith of Tarrant
Nicholson	Stevenson
Oliver	Talbert
Palmer	Tennant
Patterson of Mills	Thornberry
Patterson	Thornton
of Travis	Vale
Petsch	Waggoner
Pope	Walker
Powell	Weldon
Prescott	Westbrook
Quinn	Winfree
Reed of Bowie	Worley
Reed of Dallas	

Nays—3

Brown	Tennison
Lankford	

Absent

Bates	Jones of Atascosa
Boyer	Keith
Celaya	Lanning
Dean	Leyendecker
Derden	Mauritz
Dollins	McFarland
England	McKinney
Felty	Ragsdale
Fielden	Reader
Graves	Riddle
Hankamer	Settle
Hanna	Shell
Hartzog	Stinson
Howard	Tarwater
Hull	Wood
Jackson	

Absent—Excused

Bradford	McKee
Davis of Haskell	Russell
Heflin	Schuenemann
Jones of Falls	Stocks

The Speaker then laid House Bill No. 1173 before the House on third reading and final passage.

The bill was read third time, and was passed.

HOUSE BILL NO. 662 ON THIRD READING

(By unanimous consent)

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 662, A bill to be entitled "An Act granting aid to the property and inhabitants of Sabine and San Augustine Counties, Texas, because of the public calamities which have occurred in said Counties by reason of floods and storms which have caused great destruction of property and loss of life; remitting, releasing, granting and donating to said Counties all said ad valorem taxes for general revenue purposes levied and collected on property in said County, including the rolling stock of railroads for a period of five years, beginning with the taxable year 1937, for the use of said Counties for the purpose of constructing improvements to prevent soil erosion, flood control, irrigation and drainage projects and road building, and providing that said taxes shall be levied, assessed and collected in the manner now provided by law and that the assessor and collector in said Counties shall forward his report to the Comptroller covering said collections and shall pay over to the County Treasurer of said Counties all moneys collected by him at the end of each month except such amounts as may be allowed by law for collecting and assessing such taxes; . . . etc., and declaring an emergency."

The bill was read third time, and was passed.

SENATE BILL NO. 311 ON SECOND READING

Mr. Keefe moved that all Rules be suspended and Senate Bill No. 311 be taken up and placed on its second reading and passage to third reading.

The motion prevailed by the following vote:

Yeas—103

Adkins	Carssow
Alexander	Cauthorn
Amos	Cleveland
Baker	Davison of Fisher
Bates	Davison
Beckworth	of Eastland
Bell	Deglandon
Blankenship	Dickison
Boethel	Dollins
Boyer	Farmer
Bradbury	Felty
Broadfoot	Fielden
Brown	Fuchs
Burton	Gibson
Cagle	Hamilton
Callan	Harbin

Harper	Oliver
Harrell	Patterson of Mills
Harris of Archer	Patterson
Harris of Dallas	of Travis
Harris of Dickens	Pope
Holland	Powell
Huddleston	Prescott
Hull	Quinn
Hyder	Ragsdale
James	Reed of Bowie
Johnson of Ellis	Reed of Dallas
Johnson	Rhodes
of Tarrant	Roark
Jones of Angelina	Ross
Jones of Wise	Rutta
Keefe	Settle
Kelt	Sewell
Kern	Sharpe
King	Shell
Knetsch	Simpson
Langdon	Skaggs
Lankford	Smith of Hopkins
Leath	Smith of Tarrant
Leonard	Stinson
Little	Talbert
London	Tarwater
Lucas	Tennyson
Mann	Thornberry
Mays	Thornton
McConnell	Vale
McDonald	Waggoner
Metcalfe	Walker
Moffett	Weldon
Monkhouse	Westbrook
Morris	Winfree
Morse	Wood
Newton	Worley

Nays—4

Colquitt	Fox
Davis of Jasper	Hardin

Absent

Alsup	Kenyon
Bond	Lanning
Bridgers	Leyendecker
Cathey	Loggins
Celaya	Mauritz
Dean	McCracken
Derden	McFarland
England	McKinney
Graves	Nicholson
Hankamer	Palmer
Hanna	Petsch
Hartzog	Reader
Herzik	Riddle
Hoskins	Smith
Howard	of Matagorda
Jackson	Stevenson
Jones of Atascosa	Tennant
Keith	

Absent—Excused

Bradford	Heflin
Davis of Haskell	Jones of Falls

McKee
Russell

Schuenemann
Stocks

The Speaker then laid before the House, on its second reading and passage to third reading,

S. B. No. 311, A bill to be entitled "An Act to amend Article 4860a-6 of Chapter 8a, Title 78, Revised Civil Statutes of Texas, 1925, relating to the kinds of insurance authorized to be written by mutual insurance companies and to provide that those companies organized under the provisions of Chapter 8a shall be authorized and empowered to write any kinds of insurance which may lawfully be written in this State, except life insurance; repealing all laws in conflict therewith, and declaring an emergency."

The bill was read second time.

Mr. England offered the following amendment to the bill:

Amend Senate Bill No. 311, by adding to Section 1 thereof a paragraph which shall read as follows:

"Provided that any mutual company doing business under this Chapter which shall desire to write surety bonds, shall be required to first deposit with the State Treasurer the sum of \$50,000 in securities in which it may lawfully invest its funds in the same manner as is now required by law of stock companies writing surety bonds, and shall also be required to have a free surplus of \$200,000.00 or more."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

Senate Bill No. 311 was then passed to third reading.

MOTION TO TAKE UP SENATE BILL NO. 311

Mr. Keefe moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 311 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—83

Amos
Baker

Bell
Blankenship

Boethel
Boyer
Bradbury
Burton
Callan
Carssow
Cathey
Cauthorn
Cleveland
Davison of Fisher
Davisson
of Eastland
Deglandon
Dickison
Dollins
Farmer
Graves
Harper
Harris of Archer
Harris of Dallas
Harris of Dickens
Hartzog
Holland
Huddleston
Hyder
James
Johnson of Ellis
Johnson
of Tarrant
Jones of Angelina
Jones of Wise
Keefe
Keith
Kelt
King
Knetsch
Langdon
Lanning
Leath
Leonard
Loggins

London
Lucas
Mauritz
Mays
Metcalf
Moffett
Monkhouse
Morris
Morse
Newton
Oliver
Palmer
Patterson of Mills
Patterson
of Travis
Petsch
Pope
Quinn
Reader
Rhodes
Roark
Ross
Settle
Sewell
Sharpe
Shell
Simpson
Skaggs
Smith of Hopkins
Smith of Tarrant
Talbert
Tarwater
Thornberry
Thornton
Vale
Waggoner
Weldon
Westbrook
Winfree
Wood
Worley

Nays—31

Adkins
Alexander
Alsup
Beckworth
Bond
Bridgers
Broadfoot
Brown
Cagle
Colquitt
Fielden
Fox
Fuchs
Gibson
Hamilton
Harbin

Hardin
Jones of Atascosa
Kern
Lankford
Little
McConnell
McDonald
Powell
Prescott
Reed of Bowie
Reed of Dallas
Smith
of Matagorda
Stevenson
Tennyson
Walker

Present—Not Voting

Davis of Jasper

Absent

Bates

Celaya

Dean	Kenyon
Derden	Leyendecker
England	Mann
Felty	McCracken
Hankamer	McFarland
Hanna	McKinney
Harrell	Nicholson
Herzik	Ragsdale
Hoskins	Riddle
Howard	Rutta
Hull	Stinson
Jackson	Tennant

Absent—Excused

Bradford	McKee
Davis of Haskell	Russell
Heflin	Schuenemann
Jones of Falls	Stocks

SENATE BILL NO. 196 ON THIRD READING

Mr. Harper moved that all Rules be suspended and that Senate bill No. 196 be taken up and placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—92

Adkins	Holland
Alsup	Hoskins
Amos	Huddleston
Baker	Johnson of Ellis
Bell	Johnson
Blankenship	of Tarrant
Boethel	Jones of Angelina
Bond	Jones of Atascosa
Boyer	Keefe
Bridgers	Kelt
Broadfoot	Kern
Brown	King
Cagle	Knetsch
Callan	Langdon
Carssow	Lankford
Cauthorn	Lanning
Cleveland	Leath
Davis of Jasper	Little
Davison of Fisher	Loggins
Davison	London
of Eastland	Lucas
Dickison	Mann
Dollins	Mauritz
Farmer	McDonald
Fielden	Metcalf
Fuchs	Moffett
Gibson	Monkhouse
Graves	Morse
Hamilton	Newton
Hankamer	Oliver
Harbin	Palmer
Harper	Patterson of Mills
Harris of Dallas	Patterson
Harris of Dickens	of Travis

Petsch	Simpson
Pope	Skaggs
Prescott	Smith
Ragsdale	of Matagorda
Reader	Smith of Tarrant
Reed of Bowie	Talbert
Reed of Dallas	Tarwater
Rhodes	Thornton
Roark	Vale
Ross	Weldon
Rutta	Westbrook
Settle	Winfree
Sewell	Wood
Shell	Worley

Nays—18

Beckworth	Jones of Wise
Bradbury	Morris
Burton	Nicholson
Colquitt	Powell
Deglandon	Sharpe
Fox	Smith of Hopkins
Hardin	Tennyson
Harris of Archer	Waggoner
James	Walker

Present—Not Voting

Felty	McConnell
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Absent

Alexander	Keith
Bates	Kenyon
Cathey	Leonard
Celaya	Leyendecker
Dean	Mays
Derden	McCracken
England	McFarland
Hanna	McKinney
Harrell	Quinn
Hartzog	Riddle
Herzik	Stevenson
Howard	Stinson
Hull	Tennant
Hyder	Thornberry
Jackson	

Absent—Excused

Bradford	McKee
Davis of Haskell	Russell
Heflin	Schuenemann
Jones of Falls	Stocks

The Speaker then laid before the House, on its third reading and final passage,

S. B. No. 196, A bill to be entitled "An Act providing for the relief of the Douglassville Common School District No. 20, Cass County, Texas, in order to aid said District in rebuilding and equipping its school that was destroyed by fire in December, 1935, making an appropriation to said Dis-

strict for said property, and declaring an emergency."

The bill was read third time, and was passed.

SENATE BILL NO. 185 ON PASSAGE TO THIRD READING

The Speaker laid before the House, on passage to third reading,

S. B. No. 185, A bill to be entitled "An Act appropriating Five Million (\$5,000,000.00) Dollars per year, or so much thereof as may be necessary for the next biennium beginning September 1st, 1937, and ending August 31st, 1939, for the purpose of promoting public school interest and equalizing the educational opportunities afforded by the State to all children of scholastic age within the State, and declaring an emergency."

The Rule governing the regular order of business having been suspended, on yesterday, for the purpose of considering Senate Bill No. 185 until same is disposed of.

The bill having been read second time, on yesterday, with committee amendment No. 1, and amendment by Mr. Patterson of Mills to the committee amendment, and amendment by Mr. Metcalfe to the amendment by Mr. Patterson of Mills, pending.

(Mr. Blankenship in the Chair.)

Mr. Prescott offered the following substitute for the amendment by Mr. Metcalfe:

Amend Patterson amendment, by striking out the words and figures "\$7,500,000.00" and insert in lieu thereof the words and figures "\$7,250,000.00".

PRESCOTT,
JONES of Wise.
JOHNSON of Ellis.

Mr. Alsup moved to table the substitute amendment by Mr. Prescott.

(Speaker in the Chair.)

Question recurring on the motion to table the substitute amendment by Mr. Prescott, yeas and nays were demanded.

The roll of the House was called, and the vote announced as follows: Yeas, 67; nays, 62.

A verification of the vote was requested.

Mr. Morris moved a call of the House pending the verification of the vote, and the call was not seconded.

The roll of the "yeas" and "nays"

was again called, and the verified vote resulted as follows:

Yeas—69

Alexander	Knetsch
Alsup	Lanning
Bates	Leonard
Bell	Little
Blankenship	London
Bond	Mann
Boyer	McConnell
Bridgers	McDonald
Burton	McFarland
Carssow	McKinney
Cauthorn	Metcalfe
Celaya	Morris
Colquitt	Morse
Davison of Fisher	Nicholson
Dollins	Patterson
England	of Travis
Felty	Petsch
Fox	Pope
Fuchs	Powell
Gibson	Quinn
Graves	Riddle
Hankamer	Ross
Hanna	Rutta
Harper	Settle
Harris of Archer	Shell
Harris of Dallas	Smith
Hartzog	of Matagorda
Hoskins	Talbert
Hull	Tarwater
Hyder	Tennant
Johnson	Thornberry
of Tarrant	Thornton
Jones of Atascosa	Vale
Keith	Waggoner
Kelt	Walker
Kenyon	Wood

Nays—61

Adkins	Harris of Dickens
Amos	Herzik
Baker	Holland
Beckworth	Huddleston
Boethel	James
Bradbury	Johnson of Ellis
Broadfoot	Jones of Angelina
Brown	Jones of Wise
Callan	Keefe
Cleveland	Kern
Davis of Jasper	King
Davisson	Langdon
of Eastland	Lankford
Deglandon	Leath
Dickison	Loggins
Farmer	Lucas
Fielden	Mauritz
Hamilton	Mays
Harbin	Moffett
Hardin	Newton
Harrell	Oliver

Palmer	Sharpe
Patterson of Mills	Simpson
Prescott	Skaggs
Ragsdale	Smith of Hopkins
Reader	Smith of Tarrant
Reed of Bowie	Tennyson
Reed of Dallas	Weldon
Rhodes	Westbrook
Roark	Winfree
Sewell	Worley

Absent

Cagle	Jackson
Cathey	Leyendecker
Dean	McCracken
Derden	Stevenson
Howard	Stinson

Absent—Excused

Bradford	Monkhouse
Davis of Haskell	Russell
Heflin	Schuenemann
Jones of Falls	Stocks
McKee	

The Speaker announced that the motion to table prevailed.

Mr. Hartzog moved the previous question on the pending amendment by Mr. Patterson of Mills and the amendment to the amendment, by Mr. Metcalfe, and the main question was ordered.

Question first recurring on the amendment by Mr. Metcalfe, yeas and nays were demanded.

The roll of the House was called, and the vote announced as follows: Yeas, 67; nays, 65.

A verification of the vote was requested.

Mr. Felty moved a call of the House pending the verification of the vote, and the call was duly ordered.

The roll of the "yeas" and "nays" was again called, and the verified vote resulted as follows:

Yeas—68

Alexander	Davison of Fisher
Alsup	Dollins
Bell	England
Blankenship	Felty
Boethel	Fox
Bond	Fuchs
Boyer	Gibson
Bridgers	Graves
Burton	Hankamer
Carssow	Hanna
Cauthorn	Harris of Archer
Celaya	Harris of Dallas
Colquitt	Hartzog

Hoskins
Johnson
of Tarrant
Jones of Atascosa
Keefe
Keith
Kelt
Kenyon
Knetsch
Lanning
Leonard
Little
Mann
Mays
McConnell
McCracken
McFarland
McKinney
Metcalfe
Morris
Morse
Nicholson

Patterson
of Travis
Petsch
Pope
Powell
Quinn
Reader
Riddle
Ross
Rutta
Settle
Shell
Smith
of Matagorda
Stinson
Tarwater
Tennant
Thornberry
Thornton
Vale
Waggoner
Walker
Wood

Nays—65

Adkins	Kern
Amos	King
Baker	Langdon
Bates	Lankford
Beckworth	Leath
Bradbury	Loggins
Broadfoot	London
Brown	Lucas
Callan	Mauritz
Cathey	McDonald
Cleveland	Moffett
Davis of Jasper	Newton
Davisson	Oliver
of Eastland	Palmer
Deglandon	Patterson of Mills
Dickison	Prescott
Farmer	Ragsdale
Fielden	Reed of Bowie
Hamilton	Reed of Dallas
Harbin	Rhodes
Hardin	Roark
Harper	Sewell
Harrell	Sharpe
Harris of Dickens	Simpson
Herzik	Skaggs
Holland	Smith of Hopkins
Huddleston	Smith of Tarrant
Hull	Talbert
Hyder	Tennyson
James	Weldon
Johnson of Ellis	Westbrook
Jones of Angelina	Winfree
Jones of Wise	Worley

Absent

Cagle	Jackson
Dean	Leyendecker
Derden	Stevenson
Howard	

Absent—Excused

Bradford	Monkhouse
Davis of Haskell	Russell
Heflin	Schuenemann
Jones of Falls	Stocks
McKee	

The Speaker announced that the amendment by Mr. Metcalfe was adopted.

Question then recurring on the amendment by Mr. Patterson of Mills, as amended, it was adopted.

REASON FOR VOTE

I voted "yea" on the Metcalfe amendment placing the amount of the rural aid fund at Six Million Dollars per year for the next biennium because I consider Six Million Dollars an adequate amount. I don't believe it consistent to vote for an amount in excess of what I think is fair even though I am 100% for rural aid in every respect.

MAYS.

Mr. Thornton moved to reconsider the vote by which the amendment was adopted, and to table the motion to reconsider.

The motion to table prevailed by the following vote:

Yeas—73

Alexander	Hull
Alsup	Hyder
Amos	Johnson
Beckworth	of Tarrant
Bell	Jones of Atascosa
Blankenship	Keith
Boethel	Kelt
Bond	Kenyon
Boyer	Knetsch
Bridgers	Lanning
Burton	Leonard
Carssow	Little
Cauthorn	Mann
Celaya	Mauritz
Colquitt	McConnell
Davison of Fisher	McCracken
Dollins	McFarland
England	McKinney
Felty	Metcalfe
Fox	Morris
Gibson	Morse
Graves	Nicholson
Hamilton	Patterson
Hankamer	of Travis
Hanna	Petsch
Harris of Archer	Pope
Harris of Dallas	Powell
Hartzog	Quinn
Hoskins	Reader

Riddle	Tarwater
Ross	Tennant
Rutta	Tennyson
Settle	Thornberry
Shell	Thornton
Smith	Vale
of Matagorda	Waggoner
Stevenson	Walker
Stinson	Wood

Nays—60

Adkins	Langdon
Baker	Lankford
Bates	Leath
Bradbury	Loggins
Brown	London
Callan	Lucas
Cathey	Mays
Cleveland	McDonald
Davis of Jasper	Moffett
Davisson	Newton
of Eastland	Oliver
Deglandon	Palmer
Dickison	Patterson of Mills
Farmer	Prescott
Fielden	Ragsdale
Fuchs	Reed of Bowie
Harbin	Reed of Dallas
Hardin	Rhodes
Harper	Roark
Harrell	Sewell
Harris of Dickens	Sharpe
Herzik	Simpson
Holland	Skaggs
Huddleston	Smith of Hopkins
James	Smith of Tarrant
Johnson of Ellis	Talbert
Jones of Angelina	Weldon
Jones of Wise	Westbrook
Keeffe	Winfree
Kern	Worley
King	

Absent

Broadfoot	Howard
Cagle	Jackson
Dean	Leyendecker
Derden	

Absent—Excused

Bradford	Monkhouse
Davis of Haskell	Russell
Heflin	Schuenemann
Jones of Falls	Stocks
McKee	

Mr. Moffett moved that the debate on the amendments be limited to ten minutes for the proponents and ten minutes for the opponents on each amendment.

The motion prevailed.

Mr. Patterson of Mills offered the following amendment to the committee amendment:

Amend committee amendment No. 1 to Senate Bill No. 185, by striking out all of Section 1 on page 2 after the first period on page 2 and substituting therefor the following:

"All monies herein appropriated shall be allotted and expended by the State Superintendent under the direction of the State Board of Education; provided that any unexpended balance occurring at the end of the year 1938 may be transferred and added to the appropriation for the year ending August 31, 1939; and provided that any unexpended balances in any of the allotments of any of the funds appropriated herein may be transferred to other allotments for any of the other purposes for which such funds are appropriated."

PATTERSON of Mills,
WORLEY,
HARBIN,
REED of Bowie.

Mr. Moffett moved to reconsider the vote by which the House agreed to limit the debate on each amendment to ten minutes for each side.

The motion to reconsider was lost.

Mr. Davison of Fisher moved to table the amendment by Mr. Patterson of Mills.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—31

Alsup	London
Amos	McKinney
Bond	Morris
Burton	Patterson
Colquitt	of Travis
Davison of Fisher	Petsch
England	Powell
Fielden	Ragsdale
Fox	Riddle
Gibson	Ross
Graves	Settle
Hankamer	Smith
Hanna	of Matagorda
Keefe	Thornton
Keith	Waggoner
Kelt	Wood
Leonard	

Nays—96

Adkins	Bell
Alexander	Blankenship
Baker	Boethel
Bates	Boyer
Beckworth	Bradbury

Bridgers	Leath
Brown	Little
Callan	Loggins
Carssow	Lucas
Cathey	Mann
Cauthorn	Mays
Cleveland	McConnell
Davis of Jasper	McCracken
Davisson	McDonald
of Eastland	Metcalfe
Deglandon	Moffett
Dickison	Monkhouse
Dollins	Morse
Farmer	Newton
Felty	Nicholson
Fuchs	Oliver
Hamilton	Palmer
Harbin	Patterson of Mills
Hardin	Pope
Harper	Prescott
Harrell	Quinn
Harris of Archer	Reader
Harris of Dallas	Reed of Bowie
Harris of Dickens	Reed of Dallas
Hartzog	Rhodes
Herzik	Roark
Hoskins	Rutta
Huddleston	Sewell
Hull	Sharpe
Hyder	Skaggs
James	Smith of Hopkins
Johnson of Ellis	Smith of Tarrant
Johnson	Stevenson
of Tarrant	Stinson
Jones of Atascosa	Talbert
Jones of Angelina	Tarwater
Jones of Wise	Tennant
Kenyon	Tennyson
Kern	Thornberry
King	Vale
Knetsch	Walker
Langdon	Weldon
Lankford	Westbrook
Lanning	Worley

Present—Not Voting

Simpson

Absent

Broadfoot	Jackson
Cagle	Leyendecker
Celaya	Mauritz
Dean	McFarland
Derden	Shell
Holland	Winfree
Howard	

Absent—Excused

Bradford	McKee
Davis of Haskell	Russell
Heflin	Schuenemann
Jones of Falls	Stocks

Question then recurring on the amendment by Mr. Patterson of Mills, it was adopted.

Mr. Hardin moved to reconsider the vote by which the amendment was adopted, and to table the motion to reconsider.

The motion to table prevailed.

Question — Shall the Committee amendment be adopted?

MESSAGE FROM THE SENATE

Austin, Texas, May 19, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted the conference committee report on House Bill No. 1175 by the following vote: Yeas, 30; Nays, 0.

Adopted the conference committee report on Senate Bill No. 140 by the following vote: Yeas, 23; Nays, 2.

The Senate has granted the request of the House for a conference committee to adjust the differences between the two Houses on House Bill No. 557.

The following have been appointed on the part of the Senate:

Senators Neal, Westerfeld, Newton, Burns and Sulak.

Refused to concur in House amendments to Senate Bill No. 195, and requests the appointment of a conference committee to adjust the differences between the two Houses.

The following have been appointed on the part of the Senate:

Senators Woodruff, Neal, Lemens, Aikin and Newton.

Refused to concur in House amendments to Senate Bill No. 499, and requests the appointment of a conference committee to adjust the differences between the two Houses.

The following have been appointed on the part of the Senate:

Senators Woodruff, Sulak, Westerfeld, Brownlee and Collie.

Respectfully,

BOB BARKER,

Secretary of the Senate.

REQUESTS OF SENATE GRANTED

On motion of Mr. Jones of Wise, the House granted the request of the Senate for a conference committee to

adjust the differences between the two Houses on Senate Bill No. 195.

On motion of Mr. Hyder, the House granted the request of the Senate for a conference committee to adjust the differences between the two Houses on Senate Bill No. 499.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills and resolutions:

H. B. No. 144, "An Act to correct malpractice in the building construction industry by safeguarding the public against the irresponsible practice of the profession of architecture; defining and regulating the practice of architecture; creating a Board of Architectural Examiners; providing for appointment of the Board; fixing the terms of office; providing for appointment of their successors and for filling vacancies; fixing the qualifications of the members of said Board; requiring each member to take the oath of office and file same with the Secretary of State; providing for the election of various officers of said Board; requiring the bonding of the secretary-treasurer; providing for the adoption of necessary rules, regulations, and by-laws of said Board to govern its proceedings and activities; prescribing the duties of the various members of said Board; providing for fees collected by said Board to be deposited in a special fund in the State Treasury; providing for an appropriation from said fund to pay salaries, compensations, and other expenses of said Board; . . . etc., and declaring an emergency."

H. B. No. 538, "An Act to authorize the sale of additional portions of Harbor Island and other islands in Redfish Bay, Corpus Christi Bay and Aransas Bay and certain lands under the shallow waters of Redfish Bay, Corpus Christi Bay and Aransas Bay with certain restrictions; to authorize the extension by the present owners or their successors and assigns of the original purchase from the State of Texas of such lands under the terms of an Act known as the Act of March 13th, 1911, and being Chapter 45 of the Acts of the Thirty-second Legislature of Texas; reserving the oil, gas and other minerals in and under said lands so additionally purchased

together with the right of ingress and egress for the purpose of mining and producing the same; providing that the sale and ownership of such land so additionally purchased shall be subject to all existing laws of the State of Texas, and declaring an emergency."

H. B. No. 641, "An Act making appropriation of certain sums of money, or so much thereof as may be necessary, out of the General Revenue Fund to pay taxes due by the State to certain independent school districts, and declaring an emergency."

H. B. No. 1073, "An Act defining the term 'delinquent child' and providing that such shall be proceeded against as such in the manner provided by law so as to effect the object of this law, and providing for the bringing of such before a juvenile court upon indictment or information, or before the district court on the petition of any person, or the Humane Society, or an institution of similar purposes or character, and for the commitment of such to the State Juvenile Training School if a boy, and to the Girls' Training School, if a girl, during minority; providing that no feeble-minded, epileptic or insane child shall be committed to either and if so committed may be transferred to the proper institution, providing for the isolation of any child afflicted with venereal, tubercular or other communicable disease until cured of said disease or diseases; providing for the examination upon admission, and the issuance of a certificate showing the exact condition or state in reference to the qualifications above enumerated of each one to be admitted; providing for the exclusion of unruly children from the Home for Dependent and Neglected Children and the transfer from the Training Schools to the Home for Dependent and Neglected Children and the State Orphans Home and from the Home for Dependent and Neglected Children and the Orphans Home to the Training Schools and from the Home for Dependent and Neglected Children to the State Orphans Home; repealing Articles 3258, 5125, 5132 and 5135 of the Revised Civil Statutes of 1925, and Article 1083 of the Code of Criminal Procedure; providing that in the event any part or portion of this Act shall be declared invalid or unconstitutional such declaration shall not affect the remaining portion

thereof and the valid portions thereof shall be declared the Act of the Legislature, and declaring an emergency."

S. B. No. 515, "An Act to amend H. B. No. 750 as passed by the Forty-fifth Legislature, Regular Session, providing an open season for the killing of wild mourning doves and white winged doves in the north zone and south zones as outlined and defined in Article 878 of the Penal Code of the State of Texas, 1925, as amended by Chapter 222, Acts of the Forty-fourth Legislature, Regular Session; creating a new zone to be known as the Gulf Coastal zone, and declaring an emergency."

S. B. No. 216, "An Act to amend Article 5550, Revised Civil Statutes of Texas, 1925, providing for causes to be docketed in judicial proceedings in cases of lunacy, and declaring an emergency."

S. B. No. 445, "An Act to amend Article 4617, Revised Civil Statutes of Texas of 1925, Captioned, 'When wife may convey, et cetera, 'enlarging the scope of its meaning, and creating an emergency."

S. B. No. 450, "An Act to amend Subsection (a) of Section 7, H. B. No. 2, Chapter 13, Acts of the Forty-second Legislature, Third Called Session, as amended by S. B. No. 300, Chapter 136, Acts of the Forty-third Legislature, Regular Session, relating to eligible obligations of the counties or road districts of the State to participate in county and road district highway fund, and declaring an emergency."

S. B. No. 143, "An Act making appropriations to pay deficiency appropriations granted by the Governor during the fiscal year ending August 31, 1936, and declaring an emergency."

S. B. No. 74, "An Act defining and regulating the practice of professional engineering in the State of Texas."

H. B. No. 456, "An Act providing that on and after April 1st, 1937, delinquent taxpayers shall be permitted to pay such taxes in partial payments; providing for the creation and establishment of a system whereby such payments may be made in this manner; providing for a ten months time limit in the payment of delinquent taxes under

this system; providing for the institution of suit by the District Attorney or Criminal District Attorney against such delinquent taxpayers upon default in making such payments under this system; providing that no such payments shall be received by the Assessor and Collector of Taxes, which payments total less than \$1.00, and further, that accounts for less than \$10.00 will not be opened; providing that when the sum of money sufficient to pay the earliest unpaid year of delinquent taxes owed by such taxpayer shall have been paid, such amount shall then be applied upon such taxes, and a redemption receipt issued therefor; providing that all of the funds received under the provisions of this Act shall immediately become the property of the State of Texas and the respective county involved, and that no refunds shall be allowed; providing that the Assessor and Collector of Taxes may, in his discretion, allow the amount or amounts already paid into such partial payment account to be applied upon such taxes in the event the property covered is sold or transferred; . . . etc., and declaring an emergency."

S. C. R. No. 63, Granting the National Biscuit Company permission to sue the State of Texas.

S. C. R. No. 64, Granting the Trinity Portland Cement Company permission to sue the State of Texas.

S. C. R. No. 67, Granting Silas Gotcher permission to sue the State of Texas.

S. C. R. No. 70, Granting Judge Few Brewster permission to be absent from the State.

S. C. R. No. 72, Inviting Hon. Josephus Daniels to address a Joint Session.

CONFERENCE COMMITTEE APPOINTED ON SENATE BILL NO. 499

The Speaker announced the appointment of the following conference committee, on the part of the House, to adjust the differences between the two Houses on Senate Bill No. 499:

Messrs. Bell, Riddle, McConnell, Newton and Hyder.

RECESS

Mr. Hartzog moved that the House recess until 9:00 o'clock a. m., tomorrow.

Mr. Reed of Dallas moved that the House recess until 7:30 o'clock p. m., today.

Mr. Johnson of Ellis moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

Mr. Talbert moved that the House recess until 10:00 o'clock a. m., tomorrow.

Mr. Morse moved that the House recess until 9:30 o'clock a. m., tomorrow.

The motion of Mr. Hartzog prevailed, and the House, accordingly, at 5:05 o'clock p. m., took recess until 9:00 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills and resolutions, as follows:

Banks and Banking: Senate Bills Nos. 232, 233 and 234.

Education: House Bill No. 1187.

Eleemosynary and Reformatory Institutions: House Bill No. 1188.

Judicial Districts: Senate Bill No. 389.

Labor: Senate Bills Nos. 122 and 124.

The Committee on State Affairs filed an adverse report on Senate Concurrent Resolution No. 71.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,

Austin, Texas, May 18, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 670, A bill to be entitled "An Act granting aid to the property and inhabitants of Trinity and San Jacinto Counties, Texas, because of public calamities which have occurred in said Counties by reason of floods and storms which have caused great destruction of property and loss of life; . . . etc., and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 18, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 704, A bill to be entitled "An Act conferring jurisdiction upon the County Court of Gillespie County in probate matters and general jurisdiction over estates and transferring the jurisdiction of said Court over civil and criminal cases to District Court of said County, and conforming the jurisdiction of the District Court to such change, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 18, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1179, A bill to be entitled "An Act amending Chapter 101, page 279, of the General and Special Laws of the First Called Session of the Forty-third Legislature, being House Bill No. 31, and, as amended by Chapter 346, page 811, of the General and Special Laws of the Regular Session of the Forty-fourth Legislature, being House Bill No. 991, and, as amended by House Bill No. 722, of the General and Special Laws of the Regular Session of the Forty-fifth Legislature, by adding thereto two new sections to be known as Sections 16 and 17, so as to authorize such cities and towns to separate the Firemen, Policemen and Fire Alarm Operators' Pension Fund into a Policemen's Division thereof, and a Firemen's Division, including Fire Alarm Operators thereof, each to have a separate Pension Fund, both to have the same Board of Trustees and to be operated, managed and controlled under existing laws; providing for a procedure for separation; validating Acts of such cities and towns heretofore creating and maintaining separate Funds and separate Division of Firemen, Policemen and Fire Alarm Operators' Pension Fund, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 18, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1180, A bill to be entitled "An Act fixing the compensation of County Auditors in every county having a population of not less than 49,000 nor more than 52,000 inhabitants, according to the last preceding United States Census, etc., and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 18, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1187, A bill to be entitled "An Act providing for the amount that may be allowed by County Boards of Trustees to the County Superintendents of Public Instruction for expenditures for office and traveling expenses in certain counties according to the last preceding Federal Census; etc., and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 18, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1188, A bill to be entitled "An Act repealing House Bill No. 525, Acts of the Forty-fifth Legislature, Regular Session, amending Article 3221, Revised Civil Statutes of Texas, 1925, as amended, by authorizing State Board of Control to accept and care for orphan negro children in the Home located at Austin, Texas; etc., and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 18, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. J. R. No. 53, Proposing an amendment to Article IX, Section 1

of the Constitution of the State of Texas by adding thereto a section to be known as Section 1 (a) providing that adjacent counties, may, under such rules as the Legislature may prescribe, consolidate; etc., and prescribing the form of ballot.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 18, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 127, Allowing the Attorney General and the Board of Regents of the University of Texas to enter into an agreement to settle the title of certain lands.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 18, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 128, Granting permission to Fred Velasco to sue State of Texas and Highway Commission.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 18, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 136, Granting to W. T. Caswell of Travis County, Texas, permission to sue the State of Texas and the Attorney General's Department in behalf of himself and the partnership, Reed and Caswell of Travis County, Texas.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 19, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 138, Authorizing the State Board of Control to make rules and regulations regarding the use of

space at the Men's Confederate Home.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 19, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 142, Requesting the Texas Commissioner of Agriculture, along with Commissioners of Agriculture of other southern States, to be in Washington at an early date for a conference on the farm program, which is to be outlined by the National Congress.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 19, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 137, Inviting the National Tax Association to hold its 1938 meeting in Texas.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 19, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1082, A bill to be entitled "An Act granting and donating to Shelby County all the State ad valorem taxes levied and collected for State general revenue purposes upon the property and from persons in said County, including ad valorem taxes on rolling stock belonging to railroad companies for a period of five years beginning with the taxable year, 1937, for the use of said County for the purpose of constructing improvements therein to prevent soil erosion, flood control, irrigation, drainage, reforestation, road building, and law enforcement, and further providing that said taxes shall be levied, assessed and collected in the manner now provided by law . . . etc., and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 19, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1173, A bill to be entitled "An Act applicable to the Counties of Mason, Menard, Kerr, Schleicher, Crockett, Sutton, Kimble, Bandera, Real, Edwards, Blanco, Llano, Kendall, Gillespie, El Paso, Hudspeth, Culberson, Val Verde, Kinney, Maverick, Terrell, Brewster, Hays, Caldwell, Harris, Bexar, Wood, Webb, State of Texas; requiring a Resident Hunting License of any resident citizen of this State hunting in said counties, with certain exemptions; requiring a Resident Fishing License of any resident citizen of this State fishing in said counties, with certain exemptions; requiring operators of shooting preserves to act as agents of the Game, Fish and Oyster Commission and to remit to said Commission ten per cent of all amounts collected for shooting privileges; defining a shooting preserve operator; requiring a report from such operators; providing for the remittance to the Game, Fish and Oyster Commission of all funds collected under the provisions of this Act and providing for the disposition of same; providing suitable penalties for violation of any provision of this Act; repealing all laws, in so far as they conflict with any provision of this Act; providing the rule of construction, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,

Austin, Texas, May 18, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 113, "An Act to provide for a local option election in counties having ten thousand (10,000) or more cattle, sheep, and goats rendered for taxation to determine whether or not the qualified voters of such county desire to authorize the levy, assessment, and collection of an annual tax on cattle, sheep, and goats; providing for the method of

levying, assessing, and collecting such annual tax; and further providing for the deposit of the moneys collected from such annual tax in a special fund to be known as 'The Domestic Livestock Protective Fund'; providing authority and requiring the Commissioners Court of such county adopting the provisions of this Act to employ additional law enforcement officers, and fixing the compensation of such officers and the reports to be filed by them, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, May 18, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 376, "An Act amending Rule 47a of Article 4477 of Title 71 of the Revised Civil Statutes of the State of Texas, 1925, by repealing subparagraphs 6 and 25 thereof, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, May 17, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 424, "An Act regulating industrial homework; defining certain terms; prohibiting certain forms of industrial homework; empowering the Board of Health to enforce the provisions of this Act; prescribing the procedure to be used by the Board of Health; requiring an employer's permit for industrial homework and providing a license fee therefor; requiring a certificate for any person who shall engage in industrial homework; requiring all materials or articles manufactured by industrial homework to be labeled with the employer's name and address; providing that articles unlawfully manufactured by homework may be seized by the Board of Health; requiring an employer to keep records of industrial homework; making it the duty of the Board of Health to enforce the provisions of this Act; authorizing the Board of Health or its authorized representatives to administer oaths

and take affidavits; providing a penalty; providing if any part of the Act is declared invalid the remainder of the Act shall not be affected, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, May 18, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 711, "An Act amending Article 7008, Section 2, Revised Civil Statutes of Texas, 1925, as amended by Acts, 1931, Forty-second Legislature, First Called Session, page 73, Chapter 33, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, May 19, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 538, "An Act to authorize the sale of additional portions of Harbor Island and other islands in Redfish Bay, Corpus Christi Bay, and Aransas Bay and certain lands under the shallow waters of Redfish Bay, Corpus Christi Bay, and Aransas Bay with certain restrictions; to authorize the extension by the present owners or their successors and assigns of the original purchase from the State of Texas of such lands under the terms of an Act known as the Act of March 13, 1911, and being Chapter 45 of the Acts of the Thirty-second Legislature of Texas; providing exceptions; reserving the oil, gas, and other minerals in and under said lands so additionally purchased together with the right of ingress and egress for the purpose of mining and producing the same; providing that the sale and ownership of such land so additionally purchased shall be subject to all existing laws of the State of Texas, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, May 19, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 641, "An Act making appropriation of certain sums of money, or so much thereof as may be necessary, out of the General Revenue Fund to pay taxes due by the State to certain Independent School Districts, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, May 19, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 144, "An Act to correct malpractice in the building construction industry by safeguarding the public against the irresponsible practice of the profession of architecture; defining and regulating the practice of architecture; creating a Board of Architectural Examiners; providing for appointment of the Board; fixing the terms of office; providing for appointment of their successors and for filling vacancies; fixing the qualifications of the members of said Board; requiring each member to take the oath of office and file same with the Secretary of State; providing for the election of various officers of said Board; requiring the bonding of the Secretary-treasurer; providing for the adoption of necessary rules, regulations, and by-laws of said Board to govern its proceedings and activities; prescribing the duties of the various members of said Board; providing for fees collected by said Board to be deposited in a special Fund in the State Treasury; providing for an appropriation from said Fund to pay salaries, compensations, and other expenses of said Board; providing certain excess funds to be diverted to the General Revenue Fund of the State; providing salary of the Secretary-treasurer and certain compensation to other members of said Board; providing for special meetings of said Board; requiring the adoption of rules and regulations by said Board for the examination and registration of applicants to practice architecture; fixing the fee therefor; providing for the issuance of certificates to appli-

cants in certain cases without examination and fixing the fee therefor; setting forth who shall be a registered architect in copartnerships or firms; providing for the publishing by the Board, from time to time, of the list of approved schools; requiring every registered architect to have and use a seal on drawings and specifications; defining what persons are regarded as architects within the meaning of this Act; providing for the revocation and cancellation of registration certificates in certain cases; providing for the annual renewal of registration certificates issued under the provisions of this Act; providing for the reinstatement of registration certificates in certain cases; providing for the filing of a report of the proceedings of said Board in the office of the Secretary of State; providing penalties for pursuing the practice of architecture without having a registration certificate in accordance with this Act, or for violating the provisions of this Act; exempting practice of architecture by persons acting solely as officers or employees of the United States from the provisions of this Act; exempting from the provisions of this Act qualified architects residing outside this State, who have no office in this State, provided such architects, when performing architectural work in this State work with a registered architect of this State as a consultant, or act as a consultant to such an architect; providing for certain other things incidental to various portions of this Act; providing against any invalid part of this Act invalidating the remainder thereof or any part thereof; repealing all laws in conflict with this Act, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, May 19, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 348, "An Act amending Section 5, of Chapter 130, Acts of the Regular Session of the Forty-third Legislature, as amended by the Acts of 1934, Fourth Called Session of the Forty-third Legislature, so as to extend the time within which the contracts, bonds, notes, or other evidence

of indebtedness authorized by said Chapter 130, as amended, shall not be issued or executed after the 31st day of December, 1937, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, May 19, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 781, "An Act repealing Section 1 of Chapter 127, Acts of the Regular Session of the Forty-second Legislature, same being Article 6675A-3B, Revised Civil Statutes of Texas, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, May 19, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 774, "An Act amending certain Sections of Senate Bill No. 146, passed by the Regular Session of the Forty-fourth Legislature of the State of Texas, to-wit: Sections 5, 8, 11, 12, 15, 16, and 17; providing for the Public Safety Commission to appoint a Director and an Assistant Director whose salaries shall be fixed by the Legislature; providing for the Director with the advice and consent of the Commission to appoint Chiefs of the several Bureaus; providing for Texas Ranger captains, headquarters sergeant, and privates; providing that the Texas Highway Patrol Division shall consist of the Chief Patrol Officer, captains, sergeants, and privates as may be authorized by the Legislature, and such administrative and clerical help as determined by the Commission; providing for the Director with the advice and consent of the Commission to name the Chief of the Bureau of Communications; providing for the Director with the advice and consent of the Commission to name the Chief of the Bureau of Intelligence; providing for the Director with the advice and consent of the Commission to name the Chief of the Bureau of Education, and providing for the Chief of said Bureau to

organize schools and give instruction, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, May 19, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 547, "An Act to declare a State policy regarding the activities of the various agricultural agencies of the State, especially as they affect cotton and cotton products, and the increased use and consumption of same; directing that the heads of the State's various agricultural agencies shall take due notice of said policy; providing for the establishment of a cotton research laboratory and making an appropriation therefor, stating a contingency upon which said appropriation is made; providing that additional funds may be supplied by the United States Government; providing that the Board of Control may accept tracts of land, gifts, or grants; providing for construction to be under the Board of Control in co-operation with the Secretary of Agriculture; providing for transferring the property to the United States for so long as it uses the property for a cotton research laboratory; providing for the location of said laboratory; providing for the employment of architects, engineers, experts, etc.; providing for other necessary expenses; providing for the Comptroller to pay warrants; providing rules and regulations shall allow for co-operation between cotton-producing States, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, May 19, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1120, "An Act fixing the salary of County Commissioners in all counties having an assessed valuation of not less than Sixteen Million (\$16,000,000.00) Dollars nor more than Seventeen Million (\$17,000,000.00) Dollars and containing a population of not less than nineteen thousand (19,000) nor more than nineteen thou-

sand, nine hundred (19,900) according to the last Federal Census; providing each of the Commissioners in all counties with a population not less than twenty-four thousand, one hundred (24,100) and not more than twenty-four thousand, one hundred and seventy-five (24,175), according to the last preceding Federal Census, shall receive not more than Fifty (\$50.00) Dollars per month for expenses in addition to their salaries; repealing all laws in conflict herewith, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, May 19, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 90, Granting Mr. R. L. Gillespie permission to sue the State of Texas.

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, May 19, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 456, "An Act providing that on and after July 1, 1937, delinquent taxpayers shall be permitted to pay such taxes in partial payments; providing for the creation and establishment of a system whereby such payments may be made in this manner; providing for a twenty-month time limit in the payment of delinquent taxes under this system and that the first payment shall be made on or before September 1, 1937; providing for the institution of suit by the County Attorney or District Attorney or Criminal District Attorney in counties where there is no County Attorney against such delinquent taxpayers upon default in making such payments under this system; providing that no such payments shall be received by the Assessor and Collector of Taxes, which payments total less than One (\$1.00) Dollar, and further, that accounts for less than Ten (\$10.00) Dollars will not be opened; providing that when the sum of money sufficient to pay the earliest unpaid year of delinquent taxes owed

by such taxpayer shall have been paid, such amount shall then be applied upon such taxes, and a redemption receipt issued therefor; providing that all of the funds received under the provisions of this Act shall immediately become the property of the State of Texas and the respective county involved, and that no refunds shall be allowed; providing that the Assessor and Collector of Taxes may, in his discretion, allow the amount or amounts already paid into such partial payment account to be applied upon such taxes in the event the property covered is sold or transferred; providing for the creation of a special account with the County Treasurer of the respective counties, in which funds obtained under this system may be deposited until sufficient amount is collected to pay at least one year's taxes, at which time such amount shall be remitted by the County Treasurer to the Assessor and Collector of Taxes for proportionate distribution in the regular manner as provided by law; providing that the books, records, and accounts maintained by the Assessor and Collector of Taxes for the purpose of carrying out the provisions of this Act shall be subject to examination by the State Comptroller of Public Accounts and also by the County Auditor; providing for the manner by which said provisions would apply to cities, towns, and independent school districts, or any political subdivision of the State; prescribing suitable forms, etc., to be used in carrying out the provisions of this Act; providing the provisions of this Act shall not affect any delinquent tax suits filed in courts of competent jurisdiction before the effective date of this Act; repealing all laws and parts of laws in conflict; providing that if any clause, section, sentence, paragraph, or part of this Act shall be held invalid, such invalidity shall not invalidate the remainder, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, May 19, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1073, "An Act defining the term 'delinquent child' and pro-

viding that such shall be proceeded against as such in the manner provided by law so as to effect the object of this law, and providing for the bringing of such before a juvenile court upon indictment or information, or before the district court on the petition of any person, or the Humane Society, or an institution of similar purposes or character, and for the commitment of such to the State Juvenile Training School if a boy, and to the Girls' Training School, if a girl, during minority; providing that no feeble-minded, epileptic or insane child shall be committed to either and if so committed may be transferred to the proper institution, providing for the isolation of any child afflicted with venereal, tubercular or other communicable disease until cured of said disease or diseases; providing for the examination upon admission, and the issuance of a certificate showing the exact condition or state in reference to the qualifications above enumerated of each one to be admitted; providing for the exclusion of unruly children from the Home of Dependent and Neglected Children and the transfer from the Training Schools to the Home for Dependent and Neglected Children and the State Orphans Home and from the Home for Dependent and Neglected Children and the Orphans Home to the Training Schools and from the Home for Dependent and Neglected Children to the State Orphans Home; repealing Articles 3258, 5125, 5132 and 5135 of the Revised Civil Statutes of 1925, and Article 1083 of the Code of Criminal Procedure; providing that in the event any part or portion of this Act shall be declared invalid or unconstitutional such declaration shall not affect the remaining portion thereof and the valid portion thereof shall be declared the Act of the Legislature, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

BILLS AND RESOLUTIONS SENT TO THE GOVERNOR

May 18, 1937.

House Bill No. 711

House Bill No. 424

House Joint Resolution No. 24.

May 19, 1937.

House Bill No. 547.

House Bill No. 113.

House Bill No. 348.
 House Bill No. 376.
 House Bill No. 774.
 House Bill No. 781.
 House Bill No. 1120.
 House Bill No. 144.
 House Bill No. 538.
 House Bill No. 641.
 House Bill No. 1073.
 House Bill No. 456.
 House Concurrent Resolution No. 90.
 House Concurrent Resolution No. 140.

SEVENTY-FOURTH DAY

(Continued)

(Thursday, May 20, 1937)

The House met at 9:00 o'clock a. m., and was called to order by Speaker Calvert.

LEAVES OF ABSENCE GRANTED

The following members of the conference committee on House Bill No. 24 were granted leaves of absence, on account of important committee work: Messrs. Fuchs, Tarwater, Morris, Wood and Ragsdale.

Leaves of absence were granted the following Members, as follows:

Mr. Derden for today, on account of illness in his family, on motion of Mr. Harris of Dickens.

Mr. Prescott for today and tomorrow, on account of important business, on motion of Mr. Davisson of Eastland.

Mr. Mann for this afternoon and tomorrow, on account of important business, on motion of Mr. Mays.

Mr. Russell for today, on account of important business, on motion of Mr. Riddle.

Mr. Baker for today, on account of important business, on motion of Mr. Worley.

Mr. Roark for this afternoon, on account of important business, on motion of Mr. Lanning.

Mr. Cagle for today, on account of important business, on motion of Mr. Bradford.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 1175

Mr. Hartzog submitted the following Conference Committee Report on House Bill No. 1175:

Committee Room,
 Austin, Texas, May 18, 1937.

Hon. Walter F. Woodul, President of the Senate.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Gentlemen:

We, your Conference Committee, appointed to adjust the differences between the House and the Senate on House Bill No. 1175, report that we have considered the same and recommend that it do pass in the form hereto attached.

Respectfully,

ROBERTS,
 HOLBROOK,
 SHIVERS,
 COLLIE,
 MOORE,

On the part of the Senate.

SHELL,
 HARTZOG,
 BELL,
 SMITH of Matagorda,
 MONKHOUSE,

On the part of the House.

H. B. No. 1175,

A BILL

To Be Entitled

An Act granting to the United States of America easement to construct and maintain the Louisiana and Texas Intracoastal Waterway over and through portions of bays and tidal lands owned by the State of Texas in Brazoria, Matagorda, Calhoun, and Aransas Counties; providing for a forfeiture; protecting vested rights and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. That there is hereby granted and conveyed to the United States of America the free and uninterrupted use, liberty, and easement to construct and maintain the Louisiana and Texas Intracoastal Waterway over and through discon-